

EXHIBIT 11



Compressed Transcript of the Testimony of
DAVID B. LASATER, Ph.D., 5/5/22

Case: Norman, Sr. v. Trans Union, LLC

Summit Court Reporting, Inc.
Phone: 215.985.2400
Fax: 215.985.2420
Email: depo@summitreporting.com
Internet: www.summitreporting.com

Norman, Sr. v. Trans Union, LLC**DAVID B. LASATER, Ph.D., 5/5/22**

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DUANE E. NORMAN, SR., : CIVIL ACTION
on behalf of himself and :
all others similarly :
situated, :

Plaintiff, :

vs. :

TRANS UNION LLC, :

Defendant. : NO. 2:18-CV-052225-GAM

Remote videotaped video conference
deposition of DAVID B. LASATER, Ph.D., taken on
Thursday, May 5, 2022, commencing at 10:06 a.m.,
before Andrea M. Brinton, Professional Court Reporter
and Notary Public.

SUMMIT COURT REPORTING, INC.
Certified Court Reporters and Videographers
(215) 985-2400 * (609) 567-3315 * (800) 477-8648
www.summitreporting.com

Page 2

1 **ALL PARTIES PRESENT VIA VIDEO CONFERENCE **

2 APPEARANCES:

3 FRANCIS, MAILMAN, SOUMILAS, P.C.

4 BY: JAMES A. FRANCIS, ESQUIRE

5 BY: JORDAN M. SARTELL, ESQUIRE

6 1600 Market Street

7 Suite 2510

8 Philadelphia, Pennsylvania 19103

9 (215) 735-8600

10 jfrancis@consumerlawfirm.com

11 jsartell@consumerlawfirm.com

12 and

13 FLITTER MILZ, P.C.

14 BY: ANDREW M. MILZ, ESQUIRE

15 450 North Narberth Avenue

16 Narberth, Pennsylvania 19072

17 (610) 510-7310

18 amm@consumerslaw.com

19 Counsel for Plaintiff

20 REED SMITH, LLP

21 BY: MICHAEL O'NEIL, ESQUIRE

22 BY: ALBERT E. HARTMANN, ESQUIRE

23 10 South Wacker Drive

24 40th Floor

Chicago, Illinois 60606

(312) 207-1000

michael.oneil@reedsmith.com

albert.hartmann@reedsmith.com

Counsel for Defendant

ALSO PRESENT:

Anne Reader, Esquire - In-House Counsel for
TransUnion LLC

Yvette Samuel, Videographer

Rayne Bennett, Paralegal for Mr. Soumilas

Page 3

INDEX

WITNESS PAGE

DAVID B. LASATER, Ph.D.

EXAMINATION

By Mr. Francis 6, 192

By Mr. O'Neil 169

EXHIBITS

PAGE FIRST

EXHIBIT NO. DESCRIPTION REFERENCED

Lasater-1 Expert Report of David B. 12

Lasater, Ph.D.

Lasater-2 Retention Agreement 33

Lasater-3 Invoices 33

Lasater-4 Rebuttal Expert Report of 168
David B. Lasater, Ph.D.Lasater-5 Supplemental Rebuttal Expert 168
Report of David B. Lasater, Ph.D.

Page 4

THE VIDEOGRAPHER: We are on
the record at 10:06 a.m., on May 5th,
2022.

This is the remote video
deposition of David Lasater, Ph.D., in
the case of Duane E. Norman, Sr., on
behalf of himself and all others
similarly situated, vs. TransUnion LLC,
filed in the United States District
Court, for the Eastern District of
Pennsylvania, No. 2:18-CV-05225-GAM.

This deposition is being held
remotely via Zoom video conferencing.

My name is Yvette Samuel with
Summit Court Reporting, and I am the
certified legal videographer. I am
recording this proceeding remotely. The
court reporter is Andrea Brinton, also
with Summit.

The attorneys participating in
this proceeding acknowledge that neither
of us is physically present with the
witness and that the court reporter will
be reporting this proceeding remotely.

1 (Pages 1 to 4)

SUMMIT COURT REPORTING, INC.**215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com**

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 5</p> <p>1 They further acknowledge, in 2 lieu of an oath administered in person, 3 the witness will verbally declare that 4 his testimony in this matter is under 5 penalty of perjury. 6 The parties and their counsel 7 consent to this arrangement and waive any 8 objections at this time or in the future 9 to this manner of reporting and swearing 10 in the witness. 11 They also acknowledge and agree 12 that the official transcript is solely 13 the one transcribed by the court 14 reporter. 15 Counsel, for the record, please 16 indicate your agreement by stating your 17 name and that you agree, and please also 18 indicate who you represent, beginning 19 with plaintiff. 20 MR. FRANCIS: Yes, good 21 morning. This is Jim Francis, I 22 represent the plaintiff in the certified 23 class. We agree and consent to the 24 remote taking of this deposition.</p>	<p style="text-align: right;">Page 7</p> <p>1 as of yesterday. 2 From my review of your CV, it appears 3 that you've been deposed many times; is that correct? 4 A. That's correct. 5 Q. Okay. So I'm assuming that you're 6 generally familiar with the process, but I'll just 7 give you a couple basic instructions that are 8 important for me. 9 If I ask you a question and you don't 10 understand my question, please let me know; 11 otherwise, I will assume that you understood my 12 question and you're answering it to the best of your 13 ability. 14 Do you understand that? 15 A. I do. 16 And, Mr. Francis, as a -- as a -- as a 17 personal practice, in deposition, so that I do 18 understand your question and sometimes need to 19 concentrate on words in it, I have -- I have plain 20 paper that occasionally I will write your question on 21 or -- or a phrase from that question on that piece of 22 paper. 23 I'm very happy for you to have that 24 piece of paper if you need it or want it at the end</p>
<p style="text-align: right;">Page 6</p> <p>1 MR. O'NEIL: Good morning. 2 This is Michael O'Neil on behalf of 3 TransUnion and the witness. We also 4 consent to the remote nature of the 5 deposition. 6 THE COURT REPORTER: Doctor, 7 you're David Lasater, Ph.D.? 8 THE WITNESS: I am. 9 --- 10 DAVID B. LASATER, Ph.D., after having been 11 first duly sworn, was examined and testified as 12 follows: 13 --- 14 EXAMINATION 15 --- 16 BY MR. FRANCIS: 17 Q. Great. Good morning again, Dr. Lasater. 18 As you heard, my name is Jim Francis and I'm one of 19 the attorneys who represents the plaintiff in the 20 class that was certified in this case. 21 Today I'm going to be taking your 22 deposition because TransUnion submitted an expert 23 report from you -- purportedly from you in this 24 case -- or several reports, actually. I think three</p>	<p style="text-align: right;">Page 8</p> <p>1 of the deposition, but I want you to know that I -- 2 that I have it. 3 Also, with respect to the reports, 4 for -- for efficiency, if you -- if -- if you are -- 5 if you're all right with my having a clean hard copy 6 of -- of my reports, I have -- I have those three 7 here and would appreciate being able to use those, 8 and I -- and I affirm that they are newly printed 9 this morning, without any notes or -- or marginalia, 10 and so from -- just from the standpoint of the 11 process from this end, I wanted to advise of -- of 12 the situation that I'm in right now. 13 Q. No, I appreciate that, and in going in your 14 order, I have no problem with you taking notes of my 15 questions, and I may or may not ask you to show me 16 those notes at the end. I don't know that I will, 17 but I appreciate you mentioning that. 18 As for the three hard copy reports, I 19 think that's great, in fact, I prefer that, because 20 sometimes it's hard on the screen via Zoom to scroll 21 through some of these documents, it takes a little 22 while. 23 So that if you have a hard copy there, 24 like I do, I'm still going to put the reports on the</p>

2 (Pages 5 to 8)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 9</p> <p>1 screen so we have any particular excerpts that I want</p> <p>2 to ask you about in front of us, in front of counsel,</p> <p>3 but I'm going to be working off a paper copy as well,</p> <p>4 so --</p> <p>5 A. Very good.</p> <p>6 Q. -- I appreciate -- I appreciate that.</p> <p>7 A. Very good.</p> <p>8 Q. Along those lines, do you have any other</p> <p>9 documents that are in front of you, other than that</p> <p>10 blank paper you showed me on the screen and your</p> <p>11 three reports?</p> <p>12 A. I have the -- I have a -- I have a binder</p> <p>13 that has the -- that has the -- that has the</p> <p>14 exhibits, also newly printed this morning, so</p> <p>15 exhibit -- the -- the exhibits to the reports are in</p> <p>16 a ring binder separate from the -- separate from the</p> <p>17 reports.</p> <p>18 Q. That's perfect. That's great. And in</p> <p>19 terms of your -- your binder, is your CV part of the</p> <p>20 report or is it within -- or do you consider that</p> <p>21 part of the exhibits in the binder?</p> <p>22 A. Let me see how it was printed, Mr. Francis.</p> <p>23 Q. Sure.</p> <p>24 A. Evidently, it's in the -- it's -- it's in</p>	<p style="text-align: right;">Page 11</p> <p>1 Do you understand that?</p> <p>2 A. Very well.</p> <p>3 Q. Okay. If at any point of the deposition</p> <p>4 you don't understand what I'm saying or if the audio</p> <p>5 doesn't transcribe correctly, let me know that so we</p> <p>6 have a clear understanding of what I'm asking and</p> <p>7 what you -- and the question that you're answering.</p> <p>8 So just let me know if you can't hear</p> <p>9 me, especially in light of the audio concerns that</p> <p>10 the court reporter identified earlier; okay?</p> <p>11 A. Very well.</p> <p>12 Q. All right. And, sir, you are aware that</p> <p>13 even though we're not sitting in a courtroom today</p> <p>14 and in front of the judge and/or the jury, who may</p> <p>15 ultimately hear this case, you are aware that the</p> <p>16 testimony that you give today is subject to the</p> <p>17 penalty of perjury?</p> <p>18 A. I do.</p> <p>19 Q. Okay. Great.</p> <p>20 MR. FRANCIS: All right. So,</p> <p>21 Rayne, what I would like to do right now</p> <p>22 is mark the expert report dated March</p> <p>23 11th, 2022 of David B. Lasater, Ph.D. as</p> <p>24 Lasater-1.</p>
<p style="text-align: right;">Page 10</p> <p>1 the ring binder.</p> <p>2 Q. Okay. So when I mark your report, I'm</p> <p>3 going -- the first report, I'm going to mark the</p> <p>4 report, along with the annexes and the exhibits, as</p> <p>5 one document.</p> <p>6 MR. FRANCIS: So that's just</p> <p>7 for you, Andrea. We can talk about that</p> <p>8 later, but there are numerous attachments</p> <p>9 and exhibits, but it's -- we have it as</p> <p>10 one -- one document. Okay. So we're</p> <p>11 good and ready to go.</p> <p>12 BY MR. FRANCIS:</p> <p>13 Q. All right. So I was giving you</p> <p>14 instructions, Dr. Lasater, and, as I said, I'm going</p> <p>15 to abbreviate them because of your extensive</p> <p>16 experience in testifying.</p> <p>17 You, no doubt, are aware that during</p> <p>18 the course of the deposition, counsel may state an</p> <p>19 objection to the record or something like that.</p> <p>20 We -- I don't pay any attention to those unless he</p> <p>21 instructs you not to answer.</p> <p>22 So despite the fact that there's an</p> <p>23 objection made, I will expect you to answer the</p> <p>24 question.</p>	<p style="text-align: right;">Page 12</p> <p>1 BY MR. FRANCIS:</p> <p>2 Q. And as I said earlier, Dr. Lasater, I'm</p> <p>3 referring to this exhibit, Exhibit 1, as something</p> <p>4 which contains Annexes 5 and 6, and the training</p> <p>5 manual, as well as your CV.</p> <p>6 So what I would like to do right now</p> <p>7 is turn your attention to your resume, what you call</p> <p>8 5.1, Resume and Rule 26 Disclosure, and ask you some</p> <p>9 questions about it.</p> <p>10 A. Very good.</p> <p>11 Q. Okay. Do you have it in front of you?</p> <p>12 A. I do.</p> <p>13 Q. So what I have in front of me appears at</p> <p>14 the pages -- would be page 32 through 35.</p> <p>15 Do you have that at the bottom of your</p> <p>16 pages?</p> <p>17 A. I do.</p> <p>18 Q. Okay. Great. So is there anything missing</p> <p>19 from your resume, slash, CV that -- that -- in terms</p> <p>20 of your experience or your education?</p> <p>21 A. A -- one -- one line item in the -- let me</p> <p>22 see if it's here.</p> <p>23 One line -- line item in the heading</p> <p>24 of trial testimony.</p>

3 (Pages 9 to 12)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 13</p> <p>1 Q. Okay.</p> <p>2 A. Most recently I testified in an</p> <p>3 international arbitration. The -- the parties were a</p> <p>4 Brazilian cell phone provider named Surf, S-U-R-F,</p> <p>5 and its parent company, which is based in New Delhi,</p> <p>6 Plintron.</p> <p>7 Q. Okay. Other than that -- go ahead.</p> <p>8 A. That's the only thing that's missing.</p> <p>9 Q. Okay. All right. Just so we have a clean</p> <p>10 record of it, would you just identify your education</p> <p>11 for the record, please.</p> <p>12 A. Yes, sir. I have an undergraduate -- an</p> <p>13 undergraduate degree in accounting from the</p> <p>14 University of Houston; I have a master's degree in</p> <p>15 professional accounting, and a Ph.D. in accounting</p> <p>16 research methodologies, financial markets and</p> <p>17 quantitative methods from the University of Texas.</p> <p>18 Q. Okay. Let's go in order.</p> <p>19 When did you get your BA in accounting</p> <p>20 in Houston?</p> <p>21 A. December 1973.</p> <p>22 Q. And did you say that was the University of</p> <p>23 Houston?</p> <p>24 A. That is the University of Houston.</p>	<p style="text-align: right;">Page 15</p> <p>1 recursive algorithms, two different courses.</p> <p>2 Q. Okay. Two different courses at the</p> <p>3 University of Texas, and how many courses at the</p> <p>4 University of Houston?</p> <p>5 A. Again, in the computer science department,</p> <p>6 one at the University of Houston and two at the</p> <p>7 University of Texas.</p> <p>8 Q. Gotcha. Okay. Did you receive any degree</p> <p>9 from either of those institutions in computer</p> <p>10 science?</p> <p>11 A. No.</p> <p>12 Q. And did you receive any degrees from either</p> <p>13 of those institutions in engineering of any sort?</p> <p>14 A. No.</p> <p>15 Q. Okay. Did you take any coursework or</p> <p>16 receive any degrees from either of those institutions</p> <p>17 in psychology?</p> <p>18 A. No.</p> <p>19 Q. Did you take any courses or did --</p> <p>20 A. I'm sorry. I'm sorry. I'm sorry. Did --</p> <p>21 did -- I'm sorry, did you say did I take any courses</p> <p>22 in psychology and receive any degrees. If that's</p> <p>23 what you asked, I have to back up and -- and change</p> <p>24 my answer, please.</p>
<p style="text-align: right;">Page 14</p> <p>1 Q. Okay. And then you said you got a master's</p> <p>2 in accounting; is that right?</p> <p>3 A. Yes, I took the master's degree and the</p> <p>4 Ph.D. concurrently. The master's degree was granted</p> <p>5 in, I believe, 1979; and the Ph.D. was conferred,</p> <p>6 upon the completion of my dissertation, in 1982.</p> <p>7 Q. Okay. And where did you go for both of</p> <p>8 those degrees?</p> <p>9 A. Again, the -- the master's -- the master's</p> <p>10 in professional accounting and the Ph.D. are at the</p> <p>11 University of Texas at Austin.</p> <p>12 Q. Okay. In connection with any of the</p> <p>13 degrees that you obtained and the institutions that</p> <p>14 you attended, did you take any courses in computer</p> <p>15 science?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. When -- what courses did you take in</p> <p>18 computer science?</p> <p>19 A. I took courses in computer science at the</p> <p>20 University of Houston as part of the business and</p> <p>21 accounting program, the focus was on Fortran language</p> <p>22 programming.</p> <p>23 I took computer science courses at the</p> <p>24 University of Texas dealing with machine language and</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Okay. Did you take any coursework in</p> <p>2 psychology?</p> <p>3 A. Yes, sir, at least -- at least two courses</p> <p>4 in the undergraduate program at the University of</p> <p>5 Houston, and at least three courses in my master's</p> <p>6 and doctoral program at the University of Texas.</p> <p>7 Q. Okay. Did you receive any degrees from</p> <p>8 either of those institutions in psychology?</p> <p>9 A. No, sir.</p> <p>10 Q. Did you take any coursework or engage in</p> <p>11 any studies at either university in linguistics?</p> <p>12 A. Not by that title.</p> <p>13 Q. Did you take any coursework from either of</p> <p>14 those universities in something which was similar, or</p> <p>15 that you think was similar -- similar, to linguistics</p> <p>16 that had a different title?</p> <p>17 A. Well, in relation to the -- in relation to</p> <p>18 the psychology courses, the use of language,</p> <p>19 especially -- especially as language is provided</p> <p>20 in -- in decision rules, is important, and so to the</p> <p>21 extent that the language of decision rules was part</p> <p>22 of the master's and doctoral program at the</p> <p>23 University of Texas, I would say yes.</p> <p>24 Q. Okay. And did you receive any degrees from</p>

4 (Pages 13 to 16)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 17</p> <p>1 either of those -- those universities you mentioned</p> <p>2 in linguistics?</p> <p>3 A. No, sir.</p> <p>4 Q. Are there any other educational degrees</p> <p>5 that you hold, other than the ones you've identified?</p> <p>6 A. No, sir.</p> <p>7 Q. Okay. Subsequent to graduating from the</p> <p>8 University of Texas with your Ph.D. and up until now,</p> <p>9 have you taken any coursework in computer science?</p> <p>10 A. I think that's a hard -- when you say taken</p> <p>11 any coursework in computer science, throughout the</p> <p>12 training at -- at the St. Charles facility of Arthur</p> <p>13 Andersen, with whom I was employed from 1988 until</p> <p>14 2002, and prior to that, while I was on the faculty</p> <p>15 at Michigan State University, between 1980 and 1988,</p> <p>16 I was exposed to a lot of programming, a lot of</p> <p>17 program development.</p> <p>18 Computer science -- computer science</p> <p>19 programming is fundamental to the work that -- that I</p> <p>20 and my teams do, to the extent that we stay abreast</p> <p>21 of changes in -- in either analytic platforms or</p> <p>22 languages that are used in both data analysis and in</p> <p>23 the statistical processing of data, I would say that</p> <p>24 each -- each step of the way is one that has training</p>	<p style="text-align: right;">Page 19</p> <p>1 science is -- is fundamental to my</p> <p>2 everyday work, Mr. Francis, and so</p> <p>3 exposure is -- exposure is a really soft</p> <p>4 term here.</p> <p>5 BY MR. FRANCIS:</p> <p>6 Q. Okay. Since 1988, have you received any</p> <p>7 formal training from either -- any employer in</p> <p>8 connection with computer science?</p> <p>9 MR. O'NEIL: Objection, vague.</p> <p>10 THE WITNESS: Once again,</p> <p>11 training at Arthur Andersen, at our St.</p> <p>12 Charles facility, would have included</p> <p>13 courses that are offered at that</p> <p>14 facility, which is just west of -- just</p> <p>15 west of Chicago. As -- as new</p> <p>16 technologies were implemented, we were</p> <p>17 trained on those technologies. Same</p> <p>18 thing -- same thing within FTI.</p> <p>19 BY MR. FRANCIS:</p> <p>20 Q. Okay. When was the last time you received</p> <p>21 any training in computer science?</p> <p>22 A. Formal training in computer science, where</p> <p>23 I received it or sought it and learned it on my own?</p> <p>24 Q. Where you received it.</p>
<p style="text-align: right;">Page 18</p> <p>1 associated with it.</p> <p>2 Q. Okay. You're referring to work situations;</p> <p>3 correct?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Okay. Subsequent to graduating from the</p> <p>6 University of Texas with your Ph.D. in 1982, did</p> <p>7 you -- have you attended any schools or institutions</p> <p>8 in connection with a computer science program or</p> <p>9 course?</p> <p>10 A. And when you say schools, do you mean</p> <p>11 stand-alone and separate from anything that would be</p> <p>12 offered in a professional environment?</p> <p>13 Q. Yes.</p> <p>14 A. The answer would be no.</p> <p>15 Q. Okay. And you mentioned that you had</p> <p>16 exposure -- among other things, you mentioned that</p> <p>17 you had exposure to computer science within -- in</p> <p>18 connection with those two work situations you</p> <p>19 mentioned.</p> <p>20 Putting aside education, did you have</p> <p>21 any or -- did you have any further exposure to</p> <p>22 computer science since 1988?</p> <p>23 MR. O'NEIL: Objection, vague.</p> <p>24 THE WITNESS: Well, computer</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Where someone -- where someone else was in</p> <p>2 front of the room or on a screen presenting?</p> <p>3 Q. Correct.</p> <p>4 A. Probably 1999 or 2000.</p> <p>5 Q. Do you have any certifications in computer</p> <p>6 science?</p> <p>7 A. No.</p> <p>8 Q. Does the first page of your resume, slash,</p> <p>9 CV, does it accurately identify your work history?</p> <p>10 A. It summarizes it. It's a long -- it's a</p> <p>11 long history.</p> <p>12 Q. In connection with your work history, have</p> <p>13 you ever worked in any role that you would consider</p> <p>14 to be an IT role?</p> <p>15 MR. O'NEIL: Objection, vague.</p> <p>16 THE WITNESS: When you say IT</p> <p>17 role, Mr. Francis, our understanding of</p> <p>18 that, mine and yours, might be different,</p> <p>19 so perhaps if you would give me some</p> <p>20 ideas about what you're thinking, I'd be</p> <p>21 able to better answer.</p> <p>22 BY MR. FRANCIS:</p> <p>23 Q. Sure. Like if corporations have IT</p> <p>24 departments, right, where somebody goes there and --</p>

5 (Pages 17 to 20)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 21</p> <p>1 with a question or that department performs a</p> <p>2 function which we identify as IT, that's what I'm</p> <p>3 referring to, but if you have a -- if you think you</p> <p>4 have a history -- a work history in IT, let me know</p> <p>5 what that is.</p> <p>6 A. I think you said exposure or -- or</p> <p>7 experience, and so I'm trying to -- I'm trying to</p> <p>8 answer your question.</p> <p>9 Q. Have you ever been paid to serve in an IT</p> <p>10 role to any company?</p> <p>11 A. I understand IT, Mr. Francis, and I'm going</p> <p>12 to define it here, in terms of the provision of the</p> <p>13 hardware, the provision of the software, the</p> <p>14 maintenance of those two elements of data management</p> <p>15 and data usage, and so I have never been in a, what</p> <p>16 I'll call, box and wires role, and I have never been</p> <p>17 in a software maintenance role.</p> <p>18 Q. Okay. Have you ever written any</p> <p>19 programming language in connection with a work</p> <p>20 assignment?</p> <p>21 A. Oh, yes.</p> <p>22 Q. All right. Similar question with regard to</p> <p>23 engineering; have you ever served in any type of</p> <p>24 engineering role in your work history for any</p>	<p style="text-align: right;">Page 23</p> <p>1 A. Courses that were -- courses that were</p> <p>2 offered, courses that were part of the training</p> <p>3 programs at each of the -- at each of the employers.</p> <p>4 Q. Okay. And when was the last time you took</p> <p>5 a psychology course at one of those employers?</p> <p>6 A. Maybe six months ago.</p> <p>7 Q. Okay. All right. In connection with any</p> <p>8 of your degrees, did you take any coursework in</p> <p>9 communications?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. How many different courses did you</p> <p>12 take in communications?</p> <p>13 A. At least two; one in undergraduate school</p> <p>14 and one in the master's program.</p> <p>15 Q. Okay.</p> <p>16 A. And when we -- when we say communications,</p> <p>17 I'm -- I'm excluding marketing from that.</p> <p>18 Q. Okay.</p> <p>19 A. If we -- if we include marketing, then the</p> <p>20 course count probably goes to six.</p> <p>21 Q. Okay. Since 1982, when you graduated from</p> <p>22 the University of Texas, have you taken any other</p> <p>23 coursework in communications or communication</p> <p>24 studies?</p>
<p style="text-align: right;">Page 22</p> <p>1 company?</p> <p>2 A. Not by that title, no, sir.</p> <p>3 Q. Okay. Since graduating from the University</p> <p>4 of Texas with your Ph.D. back in 1982, have you taken</p> <p>5 any formal courses in psychology?</p> <p>6 MR. O'NEIL: Objection, asked</p> <p>7 and answered.</p> <p>8 THE WITNESS: Only with respect</p> <p>9 to employee relations within the</p> <p>10 organizations that I have been involved</p> <p>11 in.</p> <p>12 BY MR. FRANCIS:</p> <p>13 Q. Okay. Were those formal --</p> <p>14 A. And those were --</p> <p>15 Q. -- courses?</p> <p>16 A. And those were -- those were extensive.</p> <p>17 Q. And those were formal courses?</p> <p>18 A. Yes, they are.</p> <p>19 Q. Okay. And what formal courses in</p> <p>20 psychology did you take in connection with the</p> <p>21 employment role you mentioned?</p> <p>22 A. Many dimensions of -- many dimensions of</p> <p>23 employee relations.</p> <p>24 Q. Okay. And you took courses?</p>	<p style="text-align: right;">Page 24</p> <p>1 A. No.</p> <p>2 Q. And, likewise, do you have any degrees in</p> <p>3 communications or communication studies?</p> <p>4 A. No.</p> <p>5 Q. Since graduating from the University of</p> <p>6 Texas back in 1982 with your Ph.D., have you taken</p> <p>7 any formal coursework in linguistics?</p> <p>8 A. No.</p> <p>9 Q. Have you ever worked for a credit repair</p> <p>10 organization?</p> <p>11 A. Not to my knowledge.</p> <p>12 Q. Okay. Have you ever been involved with a</p> <p>13 professional assignment, or work assignment, which</p> <p>14 involved a credit repair organization?</p> <p>15 A. Not to my knowledge.</p> <p>16 Q. Okay. At any point, either in your</p> <p>17 education or your work history, did you receive any</p> <p>18 training or education in fraud detection?</p> <p>19 A. Vast.</p> <p>20 Q. Okay. Tell me about your training in fraud</p> <p>21 detection.</p> <p>22 A. Fraud detection becomes a part of the</p> <p>23 auditing element of accounting -- formal accounting</p> <p>24 education, and -- and that continued from both the</p>

6 (Pages 21 to 24)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 25</p> <p>1 undergraduate program through the master's degree</p> <p>2 program and the -- and the doctoral program.</p> <p>3 Fraud detection is -- is an essential</p> <p>4 element of the work that I do every year, I won't say</p> <p>5 every day, but every year, where -- where fraud</p> <p>6 detection is an element of making sure that financial</p> <p>7 statements are faithfully presented or that</p> <p>8 transactions, both domestic and foreign, are in</p> <p>9 compliance with anti-fraud regulations.</p> <p>10 Q. Okay. So are you saying that your</p> <p>11 experience with fraud detection relates to the</p> <p>12 preparation of financial statements?</p> <p>13 A. With respect to -- with respect to any</p> <p>14 representation or any transaction that would take</p> <p>15 place differently but for the fraud.</p> <p>16 Q. Okay. Have you ever received any training</p> <p>17 in terms of consumer fraud detection?</p> <p>18 A. I work in consumer fraud regularly.</p> <p>19 Q. Okay. Can you show me where on your CV, or</p> <p>20 your resume, where you reference working in consumer</p> <p>21 fraud detection.</p> <p>22 A. Well, so -- so in the -- in the</p> <p>23 mortgage-backed securities litigation environment, in</p> <p>24 the CFPB environment, the detection of</p>	<p style="text-align: right;">Page 27</p> <p>1 environment where CFPB is looking at fair lending,</p> <p>2 the question is with respect to the fair lending in</p> <p>3 the -- on the application side of -- of the</p> <p>4 transaction between banks and their -- and their</p> <p>5 customers is also the potential for applicant</p> <p>6 misrepresentations and the ability to detect that</p> <p>7 using -- using other means.</p> <p>8 Q. Okay.</p> <p>9 A. So -- so I didn't answer your next</p> <p>10 question, I'm sorry.</p> <p>11 Q. No, I think you did. I asked you whether</p> <p>12 or not you had any formal education or training in</p> <p>13 terms of handwriting analysis.</p> <p>14 I think your answer was no; correct?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. And have you had any experience in</p> <p>17 terms of any administration of -- or use of polygraph</p> <p>18 or lie detectors?</p> <p>19 A. No, sir.</p> <p>20 Q. Do you have any certifications in the Fair</p> <p>21 Credit Reporting Act?</p> <p>22 A. No, sir.</p> <p>23 Q. In connection with your role as an expert</p> <p>24 witness, outlined in your resume, have you ever</p>
<p style="text-align: right;">Page 26</p> <p>1 misrepresentation by either applicants -- applicants</p> <p>2 for mortgages or in the area of applicants --</p> <p>3 applications -- I said applications for mortgages, I</p> <p>4 think that would be it, where -- where -- where</p> <p>5 persons make representations with respect to those</p> <p>6 applications that are full of misrepresentations.</p> <p>7 Q. Okay. And at which point in your career or</p> <p>8 when in your career were you looking at fraud --</p> <p>9 fraud situations in connection with consumer mortgage</p> <p>10 applications?</p> <p>11 A. Once again, with respect to the residential</p> <p>12 mortgage-backed securities litigation, beginning in</p> <p>13 2011.</p> <p>14 Q. Okay. And then, when was the last time you</p> <p>15 had any role or assignment in terms of looking at</p> <p>16 fraud situations in connection with consumer mortgage</p> <p>17 applications?</p> <p>18 A. Oh, probably 18 months ago.</p> <p>19 Q. Okay. Have you received any formal</p> <p>20 training in terms of handwriting analysis?</p> <p>21 A. No, and -- and, Mr. Francis, it occurs to</p> <p>22 me also to say that with respect to consumer</p> <p>23 applications in the -- in the banking environment for</p> <p>24 loans separate from mortgages but also in the banking</p>	<p style="text-align: right;">Page 28</p> <p>1 served as an expert witness on behalf of a consumer</p> <p>2 plaintiff?</p> <p>3 A. I'm pausing, Mr. Francis, because my -- my</p> <p>4 work history is long, so I'm -- I'm trying to recall.</p> <p>5 As a household consumer, the answer</p> <p>6 would be no --</p> <p>7 Q. Okay. On page --</p> <p>8 A. -- based on -- based on -- based on my</p> <p>9 recollection.</p> <p>10 Q. Okay. On page 1 of your CV, you reference</p> <p>11 that your litigation experience includes securities</p> <p>12 class actions, employment class actions, product</p> <p>13 liability class actions, among other types of cases.</p> <p>14 In any of the securities class actions</p> <p>15 or employment class actions or product liability</p> <p>16 class actions that you had experience with, were you</p> <p>17 employed on behalf of the plaintiff?</p> <p>18 A. Not to my recollection.</p> <p>19 Q. In your CV, specifically at pages 33, 34</p> <p>20 and 35, you mention and you reference a bunch of</p> <p>21 cases, excuse me, that you testified in.</p> <p>22 Are you aware of any written court</p> <p>23 decisions which held that you were qualified to serve</p> <p>24 as an expert witness in that particular case?</p>

7 (Pages 25 to 28)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 29</p> <p>1 A. Every single one of the trial testimony</p> <p>2 references.</p> <p>3 Q. Okay. So is it your -- it's your testimony</p> <p>4 that for all of the trial testimony that you</p> <p>5 reference at page 33, there is a written finding from</p> <p>6 the Court that you were qualified to serve as an</p> <p>7 expert witness?</p> <p>8 A. Yes, sir, because in each of those -- in</p> <p>9 each of those cases, counsel would have proffered me</p> <p>10 as an expert and the Court would have accepted me or</p> <p>11 not and accepted my testimony or not.</p> <p>12 Q. Well, I'm aware of generally how that</p> <p>13 works.</p> <p>14 My question for you is, is there going</p> <p>15 to be a written decision or finding in each one of</p> <p>16 those cases?</p> <p>17 A. There would be in the transcript somewhere,</p> <p>18 certainly.</p> <p>19 Q. Okay. Other than what would be in the</p> <p>20 trial transcript, do you know of any written court</p> <p>21 decisions finding that you were qualified to serve as</p> <p>22 an expert over an objection from an opposing counsel?</p> <p>23 A. I don't know. A lot of that is often</p> <p>24 behind the scenes, so I'm not -- I'm not aware of</p>	<p style="text-align: right;">Page 31</p> <p>1 A. No, sir.</p> <p>2 Q. And have you ever been found qualified to</p> <p>3 serve as an expert witness in the area of</p> <p>4 linguistics?</p> <p>5 A. No, sir.</p> <p>6 Q. Have you ever been found qualified to</p> <p>7 testify in the area of communication studies or</p> <p>8 communications?</p> <p>9 A. No, sir.</p> <p>10 Q. Have you ever been found qualified to serve</p> <p>11 as an expert witness in terms of Fair Credit</p> <p>12 Reporting Act compliance?</p> <p>13 A. Not yet, no, sir.</p> <p>14 Q. Okay. Have you ever been found qualified</p> <p>15 to serve as an expert witness in the area of computer</p> <p>16 science?</p> <p>17 MR. O'NEIL: Objection, vague.</p> <p>18 THE WITNESS: Once again, where</p> <p>19 large databases are involved, where the</p> <p>20 processing of data from those databases</p> <p>21 are involved, where the computer -- the</p> <p>22 computer requirements for that and the</p> <p>23 discussion -- the discussion with respect</p> <p>24 to the evidential quality of that</p>
<p style="text-align: right;">Page 30</p> <p>1 any -- of any -- any separate -- any separate</p> <p>2 decisions --</p> <p>3 Q. Okay. And --</p> <p>4 A. -- except for -- go ahead.</p> <p>5 Q. And for --</p> <p>6 A. Go ahead.</p> <p>7 Q. And for the trial testimony that you</p> <p>8 referenced at page 33, what was the area of expertise</p> <p>9 or knowledge that you were designated or found</p> <p>10 qualified to testify about?</p> <p>11 A. Mr. Francis, I've tried to indicate, for</p> <p>12 economy in -- in this discussion, the areas there,</p> <p>13 and I think I see only one entry that doesn't have</p> <p>14 the bold, where I've tried to provide definitions.</p> <p>15 So in each of those where those</p> <p>16 components were of analysis and testimony were</p> <p>17 required, the Court accepted my analysis and my</p> <p>18 representations.</p> <p>19 Q. I see. And are you referring to the S, R</p> <p>20 and V designations which precede the case names?</p> <p>21 A. Yes, sir.</p> <p>22 Q. Okay. Have you ever been qualified by a</p> <p>23 court to offer expert testimony in the area of fraud</p> <p>24 detection?</p>	<p style="text-align: right;">Page 32</p> <p>1 analysis as computers are used in it, the</p> <p>2 answer would be yes.</p> <p>3 In terms of -- in terms of pure</p> <p>4 computer science, I'm not aware of</p> <p>5 litigation that, except in patent</p> <p>6 litigation, that -- that deals with pure</p> <p>7 computer science, so the answer is no.</p> <p>8 BY MR. FRANCIS:</p> <p>9 Q. And have you ever been qualified to serve</p> <p>10 as an expert witness in the area of IT?</p> <p>11 A. Once again, it's a vague question, Mr.</p> <p>12 Francis, because in the area of IT, if we're talking</p> <p>13 about box and wires or the maintenance of software,</p> <p>14 the answer is no.</p> <p>15 Q. Okay.</p> <p>16 A. The application of it for use in bringing</p> <p>17 evidence to a courtroom, yes.</p> <p>18 Q. Okay. But you're not aware in connection</p> <p>19 with any of the cases where a Court found that you</p> <p>20 could serve as an expert witness and testify in the</p> <p>21 area of IT generally.</p> <p>22 MR. O'NEIL: Objection, vague.</p> <p>23 THE WITNESS: Once again, as it</p> <p>24 pertains to box and wires and the</p>

8 (Pages 29 to 32)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC**DAVID B. LASATER, Ph.D., 5/5/22**

<p style="text-align: right;">Page 33</p> <p>1 maintenance of software or the</p> <p>2 appropriate application of software in a</p> <p>3 particular situation, with respect to the</p> <p>4 latter, the answer is yes, with respect</p> <p>5 to the maintenance of the software, the</p> <p>6 answer is no.</p> <p>7 MR. FRANCIS: Okay. Rayne,</p> <p>8 would you please mark as Lasater-2 the</p> <p>9 retention agreement that was received</p> <p>10 yesterday or two days ago, whenever it</p> <p>11 was; and, as No. 3, the invoices that</p> <p>12 were also included, and then let's start</p> <p>13 with Lasater-2.</p> <p>14 BY MR. FRANCIS:</p> <p>15 Q. Dr. Lasater, I've marked as Lasater-2 a</p> <p>16 document that was provided to us recently, it's Bates</p> <p>17 labeled DL1 through DL10.</p> <p>18 Do you have that in --</p> <p>19 A. I don't.</p> <p>20 Q. -- here?</p> <p>21 You don't have that with you?</p> <p>22 A. No, sir.</p> <p>23 MR. FRANCIS: Okay. Rayne,</p> <p>24 let's put that up on the screen.</p>	<p style="text-align: right;">Page 35</p> <p>1 A. Yes, sir.</p> <p>2 Q. Okay. Had you had any involvement in</p> <p>3 working for TransUnion in this litigation prior to</p> <p>4 June of 2021?</p> <p>5 A. No.</p> <p>6 Q. Okay. Putting aside this litigation, had</p> <p>7 you ever worked for TransUnion or worked on a matter</p> <p>8 in which TransUnion was a party prior to this case?</p> <p>9 A. Not to my recollection.</p> <p>10 Q. Okay. And putting aside TransUnion, had</p> <p>11 you ever worked for or at the direction of anybody</p> <p>12 from Reed Smith in connection -- in serving as an</p> <p>13 expert witness?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And prior to June of 2021, had you</p> <p>16 worked with TransUnion's counsel in this matter?</p> <p>17 A. No.</p> <p>18 Q. And prior to June of 2021, had you ever</p> <p>19 been involved as an expert witness in any case that</p> <p>20 involved claims under the Fair Credit Reporting Act?</p> <p>21 A. Ask me your question again, please, Mr.</p> <p>22 Francis.</p> <p>23 Q. Prior to June of 2021, when you got this</p> <p>24 case, had you ever been formally retained to serve as</p>
<p style="text-align: right;">Page 34</p> <p>1 BY MR. FRANCIS:</p> <p>2 Q. Okay. Dr. Lasater, I've had my assistant,</p> <p>3 Rayne Bennett, put up on the screen a document that</p> <p>4 was supplied in connection with a subpoena that was</p> <p>5 served in connection with your deposition, and what</p> <p>6 I'm going to do is give you mouse control over this</p> <p>7 document. You can take your -- your cursor and</p> <p>8 scroll through it. I just have a few questions for</p> <p>9 you about this.</p> <p>10 A. I can take control, but if you want to</p> <p>11 scroll through it and ask the questions, I'm fine</p> <p>12 with that.</p> <p>13 Q. Sure. My first question is, does this</p> <p>14 document -- let me try.</p> <p>15 Does this document identify the</p> <p>16 retention agreement between you and your company and</p> <p>17 TransUnion in this case?</p> <p>18 MR. O'NEIL: Objection, vague.</p> <p>19 THE WITNESS: It appears to be</p> <p>20 an unsigned copy of it, yes, sir.</p> <p>21 BY MR. FRANCIS:</p> <p>22 Q. Okay. And do I read this correctly to mean</p> <p>23 that you were first retained by TransUnion in this</p> <p>24 litigation on or about June 1, 2021?</p>	<p style="text-align: right;">Page 36</p> <p>1 an expert witness in any case which involved claims</p> <p>2 under the Fair Credit Reporting Act?</p> <p>3 A. Let me answer -- let me answer the</p> <p>4 question, Mr. Francis, in terms of the general nature</p> <p>5 of a retention agreement like the one that we have</p> <p>6 here on the screen.</p> <p>7 Very often the retentions begin with</p> <p>8 consultation on a privileged basis to counsel and --</p> <p>9 and the retention changes from a privileged</p> <p>10 consulting to an expert -- to an expert witness</p> <p>11 consulting at a particular point in time, and so</p> <p>12 almost every engagement that I'm involved in begins</p> <p>13 that way. I can't imagine any that I have done in --</p> <p>14 in the last 20 years that began as I will serve as an</p> <p>15 expert witness.</p> <p>16 And so it's understood that to the</p> <p>17 extent that I accumulate knowledge and the evidence</p> <p>18 is such that -- that counsel selects me to present it</p> <p>19 through a report or -- or in a forum, then the answer</p> <p>20 is that, as a long preface to your question, I am</p> <p>21 working on other matters involving the Fair Credit</p> <p>22 Reporting, involving my design of statistical</p> <p>23 analyses in relation to those matters that are</p> <p>24 separate from this matter with TransUnion.</p>

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 37	Page 39
<p>1 Q. Okay. Prior to June of 2021, had you ever</p> <p>2 submitted an expert report on behalf of a client in</p> <p>3 connection with a Fair Credit Reporting Act matter?</p> <p>4 A. I have not signed a report, no, sir.</p> <p>5 Q. Okay. Is it your testimony that while you</p> <p>6 have not signed a report involving a Fair Credit</p> <p>7 Reporting Act case, you have consulted with clients</p> <p>8 for -- in cases which involved Fair Credit Reporting</p> <p>9 Act claims; is that -- do I have that correctly?</p> <p>10 A. Yes, I -- I design -- I designed the work</p> <p>11 that engagement teams do where others may testify,</p> <p>12 may develop reports and may testify, and so to the</p> <p>13 extent that my work is -- is part of those teams or a</p> <p>14 supplement to those teams, the answer is yes.</p> <p>15 I have not been asked to sign a</p> <p>16 report, but it is also possible in the future that I</p> <p>17 could --</p> <p>18 Q. Okay.</p> <p>19 A. -- but I'm -- but I'm involved in matters</p> <p>20 right now that involve the FCRA.</p> <p>21 Q. Matters in which you're not serving as a</p> <p>22 retained expert; is that right?</p> <p>23 A. Once again, the retentions -- the</p> <p>24 retentions are not usually designated as you are</p>	<p>1 will be testifying in connection with a Fair Credit</p> <p>2 Reporting Act case?</p> <p>3 A. None scheduled.</p> <p>4 Q. Okay. Currently, are there any other cases</p> <p>5 in which you've been retained to serve as a</p> <p>6 testifying expert in a Fair Credit Reporting Act</p> <p>7 case?</p> <p>8 A. No, again, because -- because of the</p> <p>9 nature -- the nature of the usual retention</p> <p>10 agreement, there is not a -- there is not an ex-ante</p> <p>11 designation of expert in those retentions usually.</p> <p>12 MR. O'NEIL: Mr. Francis, we've</p> <p>13 been going for a little bit over an hour.</p> <p>14 Would this be a good time to take a short</p> <p>15 break?</p> <p>16 MR. FRANCIS: Sure. Why don't</p> <p>17 we take, I don't know, seven to ten</p> <p>18 minutes.</p> <p>19 MR. O'NEIL: Thank you.</p> <p>20 MR. FRANCIS: Okay.</p> <p>21 MR. O'NEIL: Off the record.</p> <p>22 THE VIDEOGRAPHER: Off the</p> <p>23 video record, 11:02 a.m.</p> <p>24 (Brief recess.)</p>
Page 38	Page 40
<p>1 retained as an expert. You are retained as a</p> <p>2 consulting -- privileged consulting expert, but</p> <p>3 not -- but not initially as a reporting or testifying</p> <p>4 expert. It's rare that --</p> <p>5 Q. All right.</p> <p>6 A. -- it's rare that we have retentions that</p> <p>7 designate that.</p> <p>8 Q. Okay. Prior to June of 2021, when you</p> <p>9 first signed your retention agreement in this case,</p> <p>10 am I correct that you had never testified in a Fair</p> <p>11 Credit Reporting Act case; is that right?</p> <p>12 A. That would be fair.</p> <p>13 Q. Okay. And in terms of the trial testimony</p> <p>14 and deposition testimony listed on pages 33 and 34 of</p> <p>15 your resume, am I correct that none of those cases</p> <p>16 involved FCRA matters?</p> <p>17 A. That would be correct.</p> <p>18 Q. Okay. Now, since June of 2021, have you</p> <p>19 submitted any other reports, expert reports, in a</p> <p>20 Fair Credit Reporting Act case, other than this case?</p> <p>21 A. Submitted to the process that would lead to</p> <p>22 a deposition, the answer is no.</p> <p>23 Q. Okay. And currently, do you have any other</p> <p>24 depositions scheduled or on the horizon in which you</p>	<p>1 THE VIDEOGRAPHER: We are back</p> <p>2 on the video record, 11:13 a.m.</p> <p>3 BY MR. FRANCIS:</p> <p>4 Q. Before we took a short break, Dr. Lasater,</p> <p>5 I was asking you about the retention agreement at</p> <p>6 Lasater-2.</p> <p>7 On the first page of that document,</p> <p>8 there are a series of hourly rates that are listed,</p> <p>9 with the senior managing director being at 775 and a</p> <p>10 consultant being at 320.</p> <p>11 Do you see that?</p> <p>12 A. Yes, sir.</p> <p>13 Q. And am I correct that you are -- for your</p> <p>14 work in this case, you are billing at the 775 rate;</p> <p>15 is that right?</p> <p>16 A. That would be correct.</p> <p>17 Q. Okay. And I didn't ask you before, but</p> <p>18 with your title as senior managing director, how many</p> <p>19 people do you manage or direct?</p> <p>20 A. As many as necessary for the completion of</p> <p>21 an engagement.</p> <p>22 Q. Okay.</p> <p>23 A. Anywhere between two and 100.</p> <p>24 Q. And based upon your CV, CV or resume,</p>

10 (Pages 37 to 40)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 41	Page 43
<p>1 however you want to designate it, am I correct that</p> <p>2 FTI does litigation consulting?</p> <p>3 A. Yes, sir.</p> <p>4 Q. And what percentage of the company's work</p> <p>5 is assisting companies with litigation?</p> <p>6 MR. O'NEIL: Objection, lack of</p> <p>7 foundation.</p> <p>8 THE WITNESS: That's a really</p> <p>9 hard question, Mr. Francis, because we</p> <p>10 are a 2.8 billion-dollar company --</p> <p>11 BY MR. FRANCIS:</p> <p>12 Q. Okay.</p> <p>13 A. -- with 650 senior managing directors --</p> <p>14 Q. Okay.</p> <p>15 A. -- in a wide variety of practices, where we</p> <p>16 are in legal forums or reporting to legal forums</p> <p>17 regularly, and so I can't say what percentage.</p> <p>18 Q. The company --</p> <p>19 A. -- I would have -- I would have no idea.</p> <p>20 Q. Okay. The company does things other than</p> <p>21 provide expert witness services for litigation;</p> <p>22 correct?</p> <p>23 A. I would say that most of our work is not</p> <p>24 with respect to expert witness. As -- as I had</p>	<p>1 Q. Okay. So are you saying you don't know</p> <p>2 what percentage of your time is devoted to working as</p> <p>3 an expert witness for a company in connection with</p> <p>4 litigation for which it hasn't been decided whether</p> <p>5 or not you're going to provide a report?</p> <p>6 A. We are -- we are a -- we are a company that</p> <p>7 addresses all kinds of crisis matters, and so I can't</p> <p>8 begin to -- I can't begin to put a percentage on it.</p> <p>9 MR. FRANCIS: Okay. Rayne,</p> <p>10 let's pull up now Lasater-3, which is</p> <p>11 the -- the invoices.</p> <p>12 BY MR. FRANCIS:</p> <p>13 Q. Okay. Dr. Lasater, I put up as Exhibit</p> <p>14 Lasater-3 a series of pages, beginning with a letter</p> <p>15 from you to Mr. O'Neil dated July 28th, 2021, which</p> <p>16 appears to include an invoice for your services -- or</p> <p>17 for FTI services in this case.</p> <p>18 Do you see that?</p> <p>19 A. I do. Would you scroll down to -- you can</p> <p>20 see that it is not from me, it is from Lisa</p> <p>21 Harrington.</p> <p>22 Q. Okay. And do you recognize this as an</p> <p>23 invoice that would have been sent by FTI to Mr.</p> <p>24 O'Neil back then?</p>
Page 42	Page 44
<p>1 mentioned at the top of the -- at the top of the</p> <p>2 discussion about the retention agreement, most of our</p> <p>3 work is with respect to data analysis, advising --</p> <p>4 advising clients in a wide variety of circumstances,</p> <p>5 and only occasionally -- only occasionally are we</p> <p>6 asked to expertize with that.</p> <p>7 Q. Okay. What percentage of your work is</p> <p>8 devoted to serving as an expert witness in litigation</p> <p>9 matters like this one?</p> <p>10 A. Once again, if we limit the discussion to</p> <p>11 that part which is once -- once there has been a</p> <p>12 determination that I would testify, it's probably</p> <p>13 five percent.</p> <p>14 Q. Okay. And how about the first situation,</p> <p>15 where it hasn't been decided whether you're going to</p> <p>16 testify, but you're still helping out, what</p> <p>17 percentage of your work relates to assisting</p> <p>18 companies with litigation in a situation like that?</p> <p>19 A. Well, we do a lot of investigative work,</p> <p>20 Mr. Francis, and so the -- the preparation for that,</p> <p>21 the development of the -- the development of the</p> <p>22 evidence, the evaluation of the object of the</p> <p>23 investigation is -- is wide ranging in a wide variety</p> <p>24 of forums, in a wide variety of geographies.</p>	<p>1 A. Yes, it's the FTI form, yes, sir.</p> <p>2 Q. Okay. And there are a series of pages of</p> <p>3 bills in here.</p> <p>4 Do you have any idea to date what FTI</p> <p>5 has billed TransUnion for this case?</p> <p>6 A. I have no idea.</p> <p>7 Q. Do you have any idea to date how many hours</p> <p>8 FTI has spent on this case?</p> <p>9 A. I could find out, Mr. Francis, but it's</p> <p>10 not -- it's not a statistic that I know or care</p> <p>11 about.</p> <p>12 Q. And does Lasater-3 generally represent the</p> <p>13 appearance and format of the invoices that FTI sends</p> <p>14 to its clients?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Okay. And in this case, on this page on</p> <p>17 the screen, there are -- there's a reference to other</p> <p>18 individuals, a Steven McNew, Lisa Harrington and</p> <p>19 Michael Kreppel.</p> <p>20 Do you see that?</p> <p>21 A. I do.</p> <p>22 Q. Are those all individuals who work for FTI</p> <p>23 under your supervision in this matter?</p> <p>24 A. They work -- they work beside me. Mr.</p>

11 (Pages 41 to 44)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 45</p> <p>1 McNew and Mr. Kreppel work in a different -- in a</p> <p>2 different subgroup of our practice. Ms. Harrington</p> <p>3 works for me on this matter.</p> <p>4 Q. Okay. Are there any other individuals at</p> <p>5 FTI who have rendered services for TransUnion in this</p> <p>6 case, other than you and those three other</p> <p>7 individuals?</p> <p>8 A. Yes, sir. They would be on any -- any</p> <p>9 other invoices that you might have received.</p> <p>10 Q. Okay. Okay. Do you know whether you or</p> <p>11 anyone else -- strike that.</p> <p>12 MR. FRANCIS: Okay. Rayne, you</p> <p>13 can take that down, and then let's just</p> <p>14 go back to Lasater-1, which is the -- his</p> <p>15 first report.</p> <p>16 BY MR. FRANCIS:</p> <p>17 Q. And so, Dr. Lasater, one of the things I</p> <p>18 try to do to move the deposition along is tell you</p> <p>19 where I'm going and what I'm looking at, so that we</p> <p>20 can kind of be on the same page.</p> <p>21 So right now I'm going to move into</p> <p>22 your report, it's dated March 11th, 2022, and feel</p> <p>23 free to use your paper copy or -- or if you want</p> <p>24 something put up on the screen, I might do a</p>	<p style="text-align: right;">Page 47</p> <p>1 MR. FRANCIS: Okay. And then,</p> <p>2 let's put up, Rayne, it's page 37 of his</p> <p>3 report, that's what he identifies as</p> <p>4 Annex -- well, it's in Annex 5.2.</p> <p>5 BY MR. FRANCIS:</p> <p>6 Q. And one quick question, Dr. Lasater, at --</p> <p>7 at paragraph 8 of your report, you reference that --</p> <p>8 that a copy of your resume is attached as an annex,</p> <p>9 6.1.</p> <p>10 A. Oh, that would probably be an error.</p> <p>11 Q. Yeah, and I was going to ask you if that</p> <p>12 was an error, because the 6.1 that I have is a list</p> <p>13 of the sampled letters and coding.</p> <p>14 So that's incorrect; right?</p> <p>15 A. Yes.</p> <p>16 Q. You mean 5.1; right?</p> <p>17 A. That would be -- that would be a typo, yes,</p> <p>18 sir.</p> <p>19 Q. Okay. All right. Now, let's look at what</p> <p>20 you defined as Annex 5.2.</p> <p>21 Does Annex 5.2 accurately capture the</p> <p>22 documents that you reviewed in connection with the</p> <p>23 analysis -- or an analyses set forth in your report?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 46</p> <p>1 combination of both, but let me just ask you</p> <p>2 generally about this report that's dated March 11th,</p> <p>3 2022.</p> <p>4 So am I correct that you were asked by</p> <p>5 TransUnion in this case to render the -- the March</p> <p>6 11th, 2022 report; is that right?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Okay. And do you recall when you first</p> <p>9 began doing work in connection with that assignment?</p> <p>10 A. When I began working on the analysis that</p> <p>11 is reflected in this report?</p> <p>12 Q. Yeah, any -- when was the first time you</p> <p>13 began doing any work in connection with the</p> <p>14 assignment that TransUnion gave you that led to the</p> <p>15 March '22 report?</p> <p>16 A. It would be reflected on the first invoice</p> <p>17 that you would have in your hands --</p> <p>18 Q. Okay.</p> <p>19 A. -- which I -- which I don't have in front</p> <p>20 of me.</p> <p>21 Q. In terms of the analysis that you</p> <p>22 performed, in your report you identify certain</p> <p>23 documents that you considered; correct?</p> <p>24 A. Yes, sir.</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. Okay. Are there any documents that you</p> <p>2 reviewed and/or relied upon in connection with</p> <p>3 rendering the opinions that are set forth in your</p> <p>4 March '22 report that are not captured in 5.2?</p> <p>5 MR. O'NEIL: Objection to form,</p> <p>6 compound.</p> <p>7 THE WITNESS: When you say</p> <p>8 relied on, Mr. Francis, you will have to</p> <p>9 appreciate that the -- the practice that</p> <p>10 I do is a four -- a four decades' old</p> <p>11 development of -- of experience and</p> <p>12 knowledge that has a whole library of</p> <p>13 documents behind it, and so -- and when</p> <p>14 we say documents, I mean -- I mean</p> <p>15 textbooks, journal articles,</p> <p>16 experiences -- experiences with</p> <p>17 conferences.</p> <p>18 And so it would -- when we say</p> <p>19 relied on, we have an indirect reliance</p> <p>20 on a vast -- on a vast amount of</p> <p>21 material; direct reliance is here.</p> <p>22 BY MR. FRANCIS:</p> <p>23 Q. When you say direct reliance is here, do</p> <p>24 you mean the documents in 5.2?</p>

12 (Pages 45 to 48)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 49</p> <p>1 A. I do.</p> <p>2 Q. Okay. Are there any documents that you</p> <p>3 directly relied upon that are not captured in 5.2?</p> <p>4 A. For purposes of -- for purposes of</p> <p>5 Lasater-1, answer, no.</p> <p>6 Q. Okay. For example, did you review any of</p> <p>7 the responses to interrogatories or supplemental</p> <p>8 responses to interrogatories that TransUnion served</p> <p>9 in this case?</p> <p>10 A. No, sir.</p> <p>11 Q. Have -- have you ever seen to date any of</p> <p>12 the written responses to interrogatories or responses</p> <p>13 to supplemental interrogatories of TransUnion that</p> <p>14 were exchanged or served in this case?</p> <p>15 A. Not to my recollection, no, sir.</p> <p>16 Q. All right. Have you ever reviewed any of</p> <p>17 the deposition transcripts in this case?</p> <p>18 A. No, sir.</p> <p>19 Q. Okay. Putting aside documents -- well,</p> <p>20 strike that.</p> <p>21 Have you ever reviewed any of the</p> <p>22 TransUnion consumer relations system documents that</p> <p>23 pertain to the -- the named plaintiff, Duane Norman,</p> <p>24 in this case?</p>	<p style="text-align: right;">Page 51</p> <p>1 BY MR. FRANCIS:</p> <p>2 Q. Okay.</p> <p>3 A. Once -- once again, Mr. Francis, the --</p> <p>4 the -- the data that I have handled may fall into</p> <p>5 that category of part of that system, but I don't</p> <p>6 know.</p> <p>7 I don't -- I don't want to be -- I</p> <p>8 don't want to represent that I haven't handled an</p> <p>9 awful lot of individual consumer data that was</p> <p>10 presented to me for analysis. Where it came from, I</p> <p>11 don't know.</p> <p>12 Q. Okay. And in connection with rendering</p> <p>13 your opinion, the opinion set forth in your March</p> <p>14 22nd (sic) report, did you review any internal</p> <p>15 TransUnion policy and procedure manuals?</p> <p>16 A. No, sir.</p> <p>17 Q. Okay. And did you review any manuals or</p> <p>18 memos or any other type of written instruction that</p> <p>19 TransUnion internally used in connection with its</p> <p>20 mail room or its consumer relations department?</p> <p>21 A. No, sir.</p> <p>22 Q. Okay. And putting aside records or</p> <p>23 documents, have you ever spoken to any TransUnion</p> <p>24 employees who either worked in the mail room or</p>
<p style="text-align: right;">Page 50</p> <p>1 A. No, sir.</p> <p>2 Q. Okay. Have you ever reviewed any documents</p> <p>3 from the TransUnion consumer relations system?</p> <p>4 MR. O'NEIL: Objection, lack of</p> <p>5 foundation, vague.</p> <p>6 THE WITNESS: Well, to the</p> <p>7 extent that the 502 letters are part of</p> <p>8 that system, the answer would be yes.</p> <p>9 BY MR. FRANCIS:</p> <p>10 Q. Okay. So you did read the 502 letters?</p> <p>11 A. I have seen 502 letters within the --</p> <p>12 within the documents that I have handled that were</p> <p>13 part of the files that were made available to me.</p> <p>14 Q. Okay. And when you refer to 502 letters,</p> <p>15 are you referring to the letter that TransUnion would</p> <p>16 send after somebody disputed an inquiry?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Okay. Other than the actual text of the</p> <p>19 502 letters, have you reviewed any internal consumer</p> <p>20 relations system's records that pertained to any of</p> <p>21 the class members in this case?</p> <p>22 A. No, sir.</p> <p>23 MR. O'NEIL: Objection, vague,</p> <p>24 lack of foundation.</p>	<p style="text-align: right;">Page 52</p> <p>1 worked in the consumer relations department in Crum</p> <p>2 Lynne, Pennsylvania?</p> <p>3 MR. O'NEIL: Objection, lack of</p> <p>4 foundation.</p> <p>5 THE WITNESS: Well, for</p> <p>6 instance, Ms. Reader, is -- I think was</p> <p>7 on -- was on -- may be on this. I can't</p> <p>8 tell because the screen's -- I don't know</p> <p>9 where she's based.</p> <p>10 BY MR. FRANCIS:</p> <p>11 Q. Okay. Other than Ms. Reader, can you</p> <p>12 identify any other TransUnion employees that you</p> <p>13 spoke to prior to rendering the opinions set forth in</p> <p>14 your March 22nd report?</p> <p>15 A. Yes, sir, another -- another member of the</p> <p>16 general counsel staff and --</p> <p>17 Q. Okay. Anybody who is not a lawyer?</p> <p>18 A. There was a -- there was a call early on to</p> <p>19 describe the -- the exchange, it was -- it was a --</p> <p>20 that person was on very briefly, to describe the</p> <p>21 exchange between TransUnion and the -- and the</p> <p>22 consumer with respect to the documents that I was</p> <p>23 going to be handling.</p> <p>24 Q. Okay. And who was that person?</p>

13 (Pages 49 to 52)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC**DAVID B. LASATER, Ph.D., 5/5/22**

Page 53	Page 55
<p>1 A. I don't -- I don't -- I don't recall a</p> <p>2 name, it was such a -- it was a very short call.</p> <p>3 Q. Do you know what procedures TransUnion's</p> <p>4 mail room followed with regard to the process of</p> <p>5 handling written disputes?</p> <p>6 MR. O'NEIL: Objection, vague,</p> <p>7 as to the term "disputes."</p> <p>8 THE WITNESS: And when you say</p> <p>9 know, based on -- based on that one --</p> <p>10 based on that one call, I understand that</p> <p>11 the communications are received, there is</p> <p>12 a group that processes the</p> <p>13 communications, just basically scans</p> <p>14 them, that those scans -- those scans are</p> <p>15 the basis of the documents that I have</p> <p>16 handled, and that is all.</p> <p>17 BY MR. FRANCIS:</p> <p>18 Q. Okay. You're not aware specifically of</p> <p>19 what guidance the mail room employees were given in</p> <p>20 terms of how to handle consumer correspondence; is</p> <p>21 that correct?</p> <p>22 A. When you say guidance, I think the -- I</p> <p>23 think the answer is no, but I would say that we -- we</p> <p>24 encountered -- we encountered within the population</p>	<p>1 certain consumer communications were from credit</p> <p>2 repair organizations?</p> <p>3 A. I'm not aware of -- I'm not aware of that.</p> <p>4 Q. Are you aware that a TransUnion witness in</p> <p>5 this case testified that the mail room individuals</p> <p>6 were instructed to determine whether or not a piece</p> <p>7 of a communication was from a credit repair</p> <p>8 organization?</p> <p>9 MR. O'NEIL: Objection, assumes</p> <p>10 facts not in evidence.</p> <p>11 THE WITNESS: I'm not aware of</p> <p>12 that, Mr. Francis.</p> <p>13 BY MR. FRANCIS:</p> <p>14 Q. Have you ever seen any TransUnion form</p> <p>15 letters that it would send out if it believed that a</p> <p>16 consumer communication was from a credit repair</p> <p>17 organization?</p> <p>18 A. Not to my knowledge.</p> <p>19 Q. Okay. Have you ever seen any TransUnion</p> <p>20 form letters or written communications which would be</p> <p>21 sent to a consumer advising the consumer that</p> <p>22 TransUnion considered the communication or dispute to</p> <p>23 be frivolous?</p> <p>24 A. No, sir.</p>
Page 54	Page 56
<p>1 of documents a few instances of redundant scanning,</p> <p>2 same -- basically at the same -- at the same -- with</p> <p>3 the same timestamp, and my understanding is that</p> <p>4 that's atypical.</p> <p>5 Q. Okay. And is that understanding that you</p> <p>6 have, is that from counsel?</p> <p>7 A. No, that's from the person who described</p> <p>8 the process to me.</p> <p>9 Q. Okay. And that person described the</p> <p>10 process in terms of how these disputes were -- were</p> <p>11 handled generally?</p> <p>12 A. Again, when you say disputes, how the</p> <p>13 communications to the company were scanned into a</p> <p>14 database that I handled. I don't -- that is -- that</p> <p>15 is the description that I was given; it was not</p> <p>16 presented to me as disputes, to my recollection.</p> <p>17 Q. Okay. Have you ever seen anything in</p> <p>18 writing which outlined the process by which the mail</p> <p>19 room or the consumer relations department, what</p> <p>20 procedures they were supposed to follow in connection</p> <p>21 with processing consumer communications?</p> <p>22 A. No, sir.</p> <p>23 Q. Okay. And do you know whether or not the</p> <p>24 mail room was instructed to look to see whether</p>	<p>1 Q. Okay. And do you know whether or not</p> <p>2 TransUnion's system would record a situation when the</p> <p>3 mail room considered a consumer communication to be</p> <p>4 from a credit repair organization?</p> <p>5 A. I'm not aware of any direction to the mail</p> <p>6 room.</p> <p>7 Q. And are you aware of whether or not the</p> <p>8 TransUnion system would document or capture if</p> <p>9 TransUnion considered a consumer communication to be</p> <p>10 frivolous?</p> <p>11 A. Again, I've seen no -- I've seen nothing</p> <p>12 from an internal policies or operations with respect</p> <p>13 to the mail room operation, other than what I</p> <p>14 described.</p> <p>15 Q. Okay. And in connection with your</p> <p>16 assignment and the preparation of your March '22</p> <p>17 report, did you talk to or interview any of the class</p> <p>18 members who were referenced in the letters that you</p> <p>19 reviewed?</p> <p>20 A. No, sir.</p> <p>21 Q. And, likewise, did you talk to or interview</p> <p>22 any of the creditors or users who created the inquiry</p> <p>23 that the consumers were disputing?</p> <p>24 A. No, sir.</p>

14 (Pages 53 to 56)

SUMMIT COURT REPORTING, INC.**215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com**

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 57</p> <p>1 Q. Okay. In connection with your assignment</p> <p>2 and preparation of your March 22nd report, have you</p> <p>3 spoken to or consulted with any credit repair</p> <p>4 organizations?</p> <p>5 A. No, sir.</p> <p>6 Q. And in connection with your assignment and</p> <p>7 your report, did you undertake to obtain any template</p> <p>8 letters used by any credit repair organizations?</p> <p>9 A. If you mean directly from the credit repair</p> <p>10 organization, the answer is no.</p> <p>11 Q. Okay. That's what I meant. Thank you.</p> <p>12 In connection with your -- the</p> <p>13 preparation of your March 22nd report and your</p> <p>14 assignment, did you ever inquire as to whether the</p> <p>15 mail room or the consumer relations staff at</p> <p>16 TransUnion had determined whether any of the letters</p> <p>17 that you reviewed were from credit repair</p> <p>18 organizations?</p> <p>19 A. I'm not aware.</p> <p>20 Q. All right. And in connection with your</p> <p>21 March 22nd report and your assignment, did you ever</p> <p>22 inquire with anyone in the mail room or the consumer</p> <p>23 relations system (sic), whether any of the letters</p> <p>24 that you reviewed or that were the subject of the</p>	<p style="text-align: right;">Page 59</p> <p>1 Q. Sure. Prior to your March 22nd report, had</p> <p>2 you ever opined as an expert in terms of how the</p> <p>3 United States Postal Service works?</p> <p>4 A. Directly, no; in reliance, yes.</p> <p>5 Q. Do you consider yourself to be an expert</p> <p>6 witness on matters involving the United States Postal</p> <p>7 Service?</p> <p>8 A. No, sir.</p> <p>9 MR. O'NEIL: Objection, vague.</p> <p>10 Objection, vague.</p> <p>11 BY MR. FRANCIS:</p> <p>12 Q. Okay. Do you consider yourself to have any</p> <p>13 knowledge, beyond the average person, regarding how</p> <p>14 the United States Postal Service works?</p> <p>15 A. I don't know what the average person means.</p> <p>16 Q. Okay. Do you consider yourself having any</p> <p>17 expertise in matters involving how the United States</p> <p>18 Postal Service works?</p> <p>19 A. I do not hold myself out as an expert in</p> <p>20 the operation of the U.S. Postal Service.</p> <p>21 Q. Okay. Do you -- do you hold yourself out</p> <p>22 as having any particular expertise in that area,</p> <p>23 regardless of whether or not you've been qualified as</p> <p>24 an expert?</p>
<p style="text-align: right;">Page 58</p> <p>1 class members were frivolous or that TransUnion</p> <p>2 considered them to be frivolous?</p> <p>3 A. Once again, I haven't had any -- any --</p> <p>4 any -- any documents or any communications about</p> <p>5 that, no, sir.</p> <p>6 Q. Okay. In connection with your -- the</p> <p>7 preparation of your March 22nd report, did you</p> <p>8 consult with anybody from United States -- the United</p> <p>9 States Postal Service?</p> <p>10 A. No, sir.</p> <p>11 Q. Did you seek any type of guidance or</p> <p>12 information regarding how the United States Postal</p> <p>13 Service processes consumer mail?</p> <p>14 MR. O'NEIL: Objection, vague</p> <p>15 as to time.</p> <p>16 Do you mean prior to the</p> <p>17 issuance of his March '22 report?</p> <p>18 MR. FRANCIS: Yep.</p> <p>19 THE WITNESS: No, sir.</p> <p>20 BY MR. FRANCIS:</p> <p>21 Q. And prior to your -- your March 22nd</p> <p>22 report, had you ever opined as an expert on how the</p> <p>23 U.S. Postal Service works and processes mail?</p> <p>24 A. Ask the question again, please, sir.</p>	<p style="text-align: right;">Page 60</p> <p>1 A. Only with respect to what can be expected</p> <p>2 from delivery schedules that are part of the</p> <p>3 circularization that often -- that often accompanies</p> <p>4 auditor communications with creditors, a company's</p> <p>5 creditors, or its customers.</p> <p>6 Q. And that knowledge is anecdotal from your</p> <p>7 work experience; right?</p> <p>8 A. Anecdotal as opposed to empirical?</p> <p>9 Q. Yes.</p> <p>10 A. And by empirical, I mean -- I mean with</p> <p>11 respect to recognizing delivery schedules,</p> <p>12 evaluating -- evaluating whether or not something has</p> <p>13 been -- has been -- can be expected to be received</p> <p>14 if, in fact, a creditor or a customer says that it</p> <p>15 has been put in the mail, that would be empirical; to</p> <p>16 the extent that it is -- it is an individual</p> <p>17 experience, it's anecdotal.</p> <p>18 Q. Okay. Other than that, you don't have any</p> <p>19 particularized knowledge of how the United States</p> <p>20 Postal Service works in terms of processing mail on a</p> <p>21 national basis; is that right?</p> <p>22 A. I think -- I think at one point I</p> <p>23 understood key operators -- key operators working at</p> <p>24 the machines that are doing the processing are -- are</p>

15 (Pages 57 to 60)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 61	Page 63
<p>1 presented with a need to deal with illegible --</p> <p>2 illegible zip codes for the -- for the processing,</p> <p>3 but beyond that, the answer is no.</p> <p>4 Q. And have you ever spoken to or interviewed</p> <p>5 anybody from the United States Postal Service in</p> <p>6 terms of how it works and functions in terms of</p> <p>7 processing mail?</p> <p>8 A. Again, with respect -- with respect to</p> <p>9 earlier on, in terms of circularization that auditors</p> <p>10 do, I don't know that any of those extend to</p> <p>11 communications with the Postal Service directly.</p> <p>12 Q. Okay. Let's -- let's turn to page 4 of</p> <p>13 your report. At paragraph 9, you state that: I've</p> <p>14 been retained by Reed Smith, which represents</p> <p>15 TransUnion. The scope of my assignment was to</p> <p>16 evaluate the population of letters received by</p> <p>17 TransUnion from members of the certified class in</p> <p>18 this case and which may have led TransUnion to send</p> <p>19 class members the Form 502 letter with particular</p> <p>20 attention to two arch -- overarching topics.</p> <p>21 Do you see that?</p> <p>22 A. Yes, sir.</p> <p>23 Q. The language which may have led -- my</p> <p>24 question is, isn't it the case that the sending of a</p>	<p>1 Francis, you're making it more</p> <p>2 complicated, I think, than -- than what</p> <p>3 I've tried to write here and there may</p> <p>4 be -- there may be elements of this case</p> <p>5 that are important to you with respect to</p> <p>6 that, but I've tried to write this in</p> <p>7 terms of where these letters came from,</p> <p>8 they came from the -- they came from</p> <p>9 TransUnion, though -- that is, the 502</p> <p>10 letters, and my understanding is that the</p> <p>11 502 letter comes in response to a -- a</p> <p>12 consumer's communication with TransUnion</p> <p>13 and -- and that is all.</p> <p>14 BY MR. FRANCIS:</p> <p>15 Q. Do you know of any other circumstances by</p> <p>16 which a 502 letter would be sent, other than a</p> <p>17 consumer's dispute of an inquiry?</p> <p>18 A. I --</p> <p>19 MR. O'NEIL: Objection.</p> <p>20 Objection, assumes facts not in evidence</p> <p>21 and lack of foundation.</p> <p>22 THE WITNESS: Once again, my</p> <p>23 knowledge about this is -- is limited to</p> <p>24 what I learned in that very short call</p>
Page 62	Page 64
<p>1 502 letter was the only circumstance that the -- was</p> <p>2 sent anytime TransUnion considered somebody to be</p> <p>3 disputing an inquiry?</p> <p>4 MR. O'NEIL: Objection, lack --</p> <p>5 objection, lack of foundation.</p> <p>6 THE WITNESS: Mr. Francis, you</p> <p>7 asked me earlier on with respect to my</p> <p>8 knowledge about how the mail room worked,</p> <p>9 and so I have to put a caveat in there</p> <p>10 because I can't speak with certainty</p> <p>11 about how the mail room works, so the</p> <p>12 "may" is in that sentence to -- to</p> <p>13 provide a contingency with respect to the</p> <p>14 operation of the mail room, but that is</p> <p>15 all.</p> <p>16 BY MR. FRANCIS:</p> <p>17 Q. Okay. You're not aware of any other</p> <p>18 circumstances by which TransUnion would send a 502</p> <p>19 letter, except when it considered somebody as</p> <p>20 disputing an inquiry; correct?</p> <p>21 MR. O'NEIL: Objection, assumes</p> <p>22 facts not in evidence and lack of</p> <p>23 foundation.</p> <p>24 THE WITNESS: Mr. -- Mr.</p>	<p>1 almost a year ago.</p> <p>2 BY MR. FRANCIS:</p> <p>3 Q. Okay. All right. And then subparagraph</p> <p>4 9(a) you write: Do the letters reflect more than one</p> <p>5 context for their complaints, assertions, questions</p> <p>6 or demands.</p> <p>7 Do you see that?</p> <p>8 A. Yes, sir.</p> <p>9 Q. What's your definition for context?</p> <p>10 What's your objective definition for</p> <p>11 context?</p> <p>12 A. Well --</p> <p>13 MR. O'NEIL: Objection.</p> <p>14 Objection, vague.</p> <p>15 Generally, or how he's using it</p> <p>16 in this sentence?</p> <p>17 MR. FRANCIS: How he's using it</p> <p>18 right here.</p> <p>19 THE WITNESS: We could -- we</p> <p>20 could equate a basis with context.</p> <p>21 BY MR. FRANCIS:</p> <p>22 Q. Okay. I guess my question is, is you say</p> <p>23 the question is, do the letters reflect more than one</p> <p>24 context for their complaints, assertions questions,</p>

16 (Pages 61 to 64)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 65</p> <p>1 or demands.</p> <p>2 My question to you is, if I wanted to</p> <p>3 check your analysis, what definition of context would</p> <p>4 I apply?</p> <p>5 MR. O'NEIL: Objection, vague.</p> <p>6 THE WITNESS: Context is</p> <p>7 circumstances or basis. Now we're</p> <p>8 getting -- now we're getting into -- into</p> <p>9 linguistics, Mr. Francis, and -- and</p> <p>10 we're -- and so I write a word that I</p> <p>11 understand to be -- to be an English</p> <p>12 language word that -- that describes</p> <p>13 basis or a circumstance for the</p> <p>14 complaint, and within a -- within the</p> <p>15 direction that I have here are the -- are</p> <p>16 the complaints or the assertions or the</p> <p>17 questions or the demands that they're</p> <p>18 making.</p> <p>19 Are they -- are they mono -- do</p> <p>20 they have a monolithic basis? Do they</p> <p>21 have a monolithic circumstance? Are they</p> <p>22 similarly situated as the -- as the</p> <p>23 caption of the case describes it?</p> <p>24 We could say -- we could say</p>	<p style="text-align: right;">Page 67</p> <p>1 eventually were developed from the initial reading</p> <p>2 and final reading of these -- of these letters so</p> <p>3 that we don't -- it might be more efficient, I guess,</p> <p>4 Mr. Francis, is my -- is my suggestion.</p> <p>5 Q. Well, we'll get there. I can't get there</p> <p>6 until I know exactly what it is that you're searching</p> <p>7 for.</p> <p>8 So my question is, what would meet the</p> <p>9 definition of a complaint in connection with 9(a)?</p> <p>10 MR. O'NEIL: Objection, calls</p> <p>11 for a narrative.</p> <p>12 THE WITNESS: A complaint could</p> <p>13 be I don't like this -- I don't like</p> <p>14 the -- the situation that I -- that I</p> <p>15 find myself in with respect to my credit</p> <p>16 score.</p> <p>17 BY MR. FRANCIS:</p> <p>18 Q. Okay. Is that an example or is that the</p> <p>19 definition that would govern complaint?</p> <p>20 A. Well, you're asking me now to turn into a</p> <p>21 Webster dictionary with respect to -- with respect to</p> <p>22 definitions.</p> <p>23 I'm giving you an example because I</p> <p>24 did not -- I did not categorize the -- the</p>
<p style="text-align: right;">Page 66</p> <p>1 one situation; right? Or situation,</p> <p>2 basis, context, circumstance are all</p> <p>3 synonyms for me in that sentence.</p> <p>4 BY MR. FRANCIS:</p> <p>5 Q. Okay. Basis, context and circumstance.</p> <p>6 A. A situation, and there may be -- there may</p> <p>7 be other -- others that we could use the thesaurus to</p> <p>8 replace.</p> <p>9 Q. Well, I guess what I'm asking is, in terms</p> <p>10 of the analysis you performed, what did you instruct</p> <p>11 the individuals reviewing the letters to determine</p> <p>12 whether something had more than one context or not?</p> <p>13 MR. O'NEIL: Objection, calls</p> <p>14 for a narrative.</p> <p>15 THE WITNESS: It is a long</p> <p>16 narrative.</p> <p>17 BY MR. FRANCIS:</p> <p>18 Q. Okay. All right. So -- all right. And</p> <p>19 then you say: One context for their complaints,</p> <p>20 assertions, questions or demands.</p> <p>21 What was the definition you used to</p> <p>22 determine whether a letter contained a complaint?</p> <p>23 A. I think the best -- I think the best way to</p> <p>24 answer that is to look at the categories that</p>	<p style="text-align: right;">Page 68</p> <p>1 individuals' letters into -- into these four -- into</p> <p>2 these four categories. That -- these are overarch --</p> <p>3 these are sort of overarching descriptions of -- of</p> <p>4 what -- what I saw in the letters.</p> <p>5 Q. I guess maybe my -- the better question is,</p> <p>6 did you utilize an objective definition for</p> <p>7 complaints, assertions, questions or demands, or not?</p> <p>8 MR. O'NEIL: Objection, vague.</p> <p>9 THE WITNESS: Objective with</p> <p>10 respect to the use of -- the use of</p> <p>11 English language words.</p> <p>12 BY MR. FRANCIS:</p> <p>13 Q. Are you saying that it would be based upon</p> <p>14 what the reviewer thought or did you give the</p> <p>15 reviewer objective criteria or definitions to work</p> <p>16 with?</p> <p>17 A. I gave the reviewer examples of -- examples</p> <p>18 of categories and -- and tried to provide assistance</p> <p>19 to the lawyer reviewers who are skilled in the nuance</p> <p>20 of the English language, guidance with respect to</p> <p>21 reading the letters and categorizing them.</p> <p>22 Q. Okay. A couple things. Other than</p> <p>23 examples, did you provide the reviewers with any</p> <p>24 objective criteria or definition for the words</p>

17 (Pages 65 to 68)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 69</p> <p>1 "complaints," "assertions," "questions" or "demands"?</p> <p>2 A. Well, I think the answer is yes --</p> <p>3 Q. Okay.</p> <p>4 A. -- but we'd have -- we would have to -- we</p> <p>5 would have to do it category by category.</p> <p>6 Q. All right. Well, let's do that. So let's</p> <p>7 start with -- if I were your reviewer and you said,</p> <p>8 hey, I want you to look to see whether there's a</p> <p>9 complaint in these ten letters, what's the definition</p> <p>10 that you -- you gave me?</p> <p>11 MR. O'NEIL: Objection, assumes</p> <p>12 facts not in evidence, vague.</p> <p>13 THE WITNESS: For example,</p> <p>14 category 14, if we look at the -- if we</p> <p>15 look at the code -- if we look at the</p> <p>16 coding manual, I'm looking at the word</p> <p>17 "claim," but a claim could be an</p> <p>18 assertion or it could be a complaint, but</p> <p>19 we could --</p> <p>20 BY MR. FRANCIS:</p> <p>21 Q. And the question --</p> <p>22 A. -- we could -- we could -- we could talk</p> <p>23 about the category 14.</p> <p>24 Q. Okay. So my question, again, is what would</p>	<p style="text-align: right;">Page 71</p> <p>1 legal training, did any of the reviewers have any</p> <p>2 training in linguistics?</p> <p>3 A. I have no idea.</p> <p>4 Q. Okay. And other than going to law school,</p> <p>5 did any of the reviewers have any training in</p> <p>6 communications or communication studies?</p> <p>7 A. Once again, I have no idea.</p> <p>8 Q. Okay. Is it your testimony that they were</p> <p>9 skilled in the nuance of the English language because</p> <p>10 they went to law school?</p> <p>11 A. That is why -- that is why contract lawyers</p> <p>12 are usually engaged to do this kind of bibliographic</p> <p>13 and lexicographic work.</p> <p>14 Q. Do you know if any of the reviewers in this</p> <p>15 case, that you utilized, had any prior experience in</p> <p>16 evaluating or interpreting commuter -- consumer</p> <p>17 communications in general?</p> <p>18 A. I do not know.</p> <p>19 Q. Okay.</p> <p>20 A. It is -- it is possible because they are --</p> <p>21 they are working for Logility, and my understanding</p> <p>22 is that Logility works with TransUnion.</p> <p>23 Q. Okay. All right. Next, so I asked you</p> <p>24 about what the objective definition for complaint</p>
<p style="text-align: right;">Page 70</p> <p>1 constitute a complaint?</p> <p>2 A. Once again, when the consumer doesn't</p> <p>3 like -- doesn't like the situation they're in, that</p> <p>4 they go to the trouble to communicate with TransUnion</p> <p>5 or engage someone else to do it.</p> <p>6 Q. Okay. How would you determine or how would</p> <p>7 the reader who performed this analysis referenced in</p> <p>8 your report determine whether a consumer didn't like</p> <p>9 their situation that they were in?</p> <p>10 A. Once again, we have to go to the categories</p> <p>11 and the direction that the reviewers got, and that</p> <p>12 is -- that is summarized in Table 2 of the report and</p> <p>13 is in -- in great detail with respect to examples in</p> <p>14 the coding manual that was developed.</p> <p>15 Q. You mentioned that the reviewers were</p> <p>16 skilled in the nuance of the English language.</p> <p>17 Were any of the reviewers experts in</p> <p>18 linguistics?</p> <p>19 A. To the extent that -- to the extent that</p> <p>20 the use of the English language is taught in law</p> <p>21 school, I respect the -- I respect the use of the</p> <p>22 English language to be a little bit different in the</p> <p>23 hands of lawyers.</p> <p>24 Q. Okay. Other than the fact that they had</p>	<p style="text-align: right;">Page 72</p> <p>1 was.</p> <p>2 Same question, "assertions," what was</p> <p>3 the objective definition for whether a commuter --</p> <p>4 consumer communication constitute -- constituted an</p> <p>5 assertion?</p> <p>6 A. A factual statement.</p> <p>7 Q. Okay. And the reviewer would determine</p> <p>8 whether there was a factual statement; is that</p> <p>9 correct?</p> <p>10 A. To the -- to the extent that it was</p> <p>11 necessary for purposes of trying to identify the</p> <p>12 features of a letter.</p> <p>13 Q. And next, "questions," what was the</p> <p>14 objective definition or criteria that you used or the</p> <p>15 reviewers used in terms of determining whether a</p> <p>16 consumer communication contained a question?</p> <p>17 A. Once again, it's a -- it's -- it's the use</p> <p>18 of the English language, Mr. Francis, in terms of the</p> <p>19 consumer asking something of TransUnion in terms of a</p> <p>20 fact.</p> <p>21 Q. How would you determine whether a consumer</p> <p>22 was asking something of TransUnion?</p> <p>23 A. Well, generally -- generally speaking, if</p> <p>24 the word "please" is used.</p>

18 (Pages 69 to 72)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC**DAVID B. LASATER, Ph.D., 5/5/22**

Page 73	Page 75
<p>1 Q. Okay.</p> <p>2 A. "Please" can head off in a couple of</p> <p>3 different directions --</p> <p>4 Q. Okay. Use of the word --</p> <p>5 A. -- it can be -- it could be a demand or it</p> <p>6 could be a question.</p> <p>7 Q. So "please" would be a --</p> <p>8 A. You're asking me --</p> <p>9 Q. -- way to identify -- a way to identify if</p> <p>10 there -- if the consumer was communicating a</p> <p>11 question.</p> <p>12 A. Once again, Mr. Francis, the -- the</p> <p>13 specific direction that the -- that the reviewers got</p> <p>14 is embodied in the coding manual that is very lengthy</p> <p>15 for each of the categories, it provides examples and</p> <p>16 provides some description that we can -- that we can</p> <p>17 talk about in terms of the use of the English</p> <p>18 language.</p> <p>19 Q. Well, I guess my question, then, is, are</p> <p>20 you telling me that if we look at that manual, which</p> <p>21 we're going to get to in a little bit, are you</p> <p>22 telling me that there is an objective definition</p> <p>23 and/or criteria for complaints, assertions, questions</p> <p>24 or demands, or just examples?</p>	<p>1 subjectively or were they to follow objective</p> <p>2 criteria and definitions.</p> <p>3 A. The objective criteria --</p> <p>4 MR. O'NEIL: Objection.</p> <p>5 Objection, Dr. Lasater.</p> <p>6 Mr. Francis, please do not</p> <p>7 interrupt the witness when he's answering</p> <p>8 your question.</p> <p>9 I'm sorry, go ahead, Dr.</p> <p>10 Lasater, and if you need to have the</p> <p>11 question read back, I'm sure the court</p> <p>12 reporter can do that.</p> <p>13 THE WITNESS: The direction to</p> <p>14 the reviewers is intended to give them</p> <p>15 objective criteria for identifying</p> <p>16 attributes of communications written in</p> <p>17 the English language, and their</p> <p>18 compliance with that is reflected in</p> <p>19 their ability to categorize a group of</p> <p>20 letters to different groups of letters in</p> <p>21 virtually the same way.</p> <p>22 To the extent that that -- that</p> <p>23 they agree, that agreement is obtained on</p> <p>24 the use of the English language with</p>
Page 74	Page 76
<p>1 MR. O'NEIL: Objection, form,</p> <p>2 compound.</p> <p>3 THE WITNESS: I think there</p> <p>4 is -- I think there is direction to the</p> <p>5 reviewer with respect to a category and</p> <p>6 then there are examples, and to the</p> <p>7 extent that that direction includes a</p> <p>8 search for a particular -- for a</p> <p>9 particular meaning from the -- the words</p> <p>10 that are reflected in that communication,</p> <p>11 that may satisfy your -- your need for</p> <p>12 definition.</p> <p>13 BY MR. FRANCIS:</p> <p>14 Q. Are you saying that some portion of the</p> <p>15 reviewers' analysis depended upon their subjective</p> <p>16 interpretation of the letters?</p> <p>17 A. Well, so, let's -- let's talk about</p> <p>18 subjective, because as we all read each word, each</p> <p>19 word, if we interpret it -- if we interpret that word</p> <p>20 the same way, Mr. Francis, is that subjective or is</p> <p>21 that objective? And --</p> <p>22 Q. Well, I'm asking -- I'm asking you whether</p> <p>23 in your view was -- were any of the reviewers left</p> <p>24 with the discretion to interpret the letters</p>	<p>1 respect to the features of the letters,</p> <p>2 it is objective.</p> <p>3 BY MR. FRANCIS:</p> <p>4 Q. Okay. So just to be clear, then, my</p> <p>5 question was, did any of the review of the letters</p> <p>6 involve any subjective interpretation of the</p> <p>7 reviewers?</p> <p>8 MR. O'NEIL: Objection, vague.</p> <p>9 THE WITNESS: To the extent</p> <p>10 that a letter could not be categorized</p> <p>11 into one or more of the objective</p> <p>12 features of the letter, then, at that</p> <p>13 point, the reviewer was advised to</p> <p>14 indicate that the letter does not assert</p> <p>15 or describe any of the language outlined</p> <p>16 in categories four through 17. That's</p> <p>17 category number 18.</p> <p>18 BY MR. FRANCIS:</p> <p>19 Q. Okay.</p> <p>20 A. That would be where -- that would be where</p> <p>21 a subjective determination outside the direction that</p> <p>22 they had gotten with respect to the categories would</p> <p>23 fall.</p> <p>24 Q. All right. Okay. So let me just go back</p>

19 (Pages 73 to 76)

SUMMIT COURT REPORTING, INC.**215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com**

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 77</p> <p>1 where I was. So I was asking you about the</p> <p>2 definition or criteria for whether something --</p> <p>3 whether a consumer communication posed a question.</p> <p>4 One criterion that you mentioned was if it used the</p> <p>5 word "please."</p> <p>6 Are there any other criterion for</p> <p>7 whether the consumer letter contained a question?</p> <p>8 MR. O'NEIL: Objection,</p> <p>9 misstates his testimony.</p> <p>10 THE WITNESS: The context --</p> <p>11 the context, the language of the -- the</p> <p>12 lack of the statement, the language of</p> <p>13 the sentence, whether or not there is</p> <p>14 punctuation that -- that follows it are</p> <p>15 all elements of determining whether</p> <p>16 something is a question.</p> <p>17 BY MR. FRANCIS:</p> <p>18 Q. Right, but what were the reviewers supposed</p> <p>19 to apply and not apply?</p> <p>20 A. Ones --</p> <p>21 Q. In other words -- let me ask you a</p> <p>22 different hypothetical; okay?</p> <p>23 If we wanted to see whether the</p> <p>24 letters contained the number ten, you could ask a</p>	<p style="text-align: right;">Page 79</p> <p>1 manual, that was developed and trained to the</p> <p>2 reviewers.</p> <p>3 Q. Okay. Were there any other materials,</p> <p>4 other than the training manual appended to your</p> <p>5 report, which outlined the definitions or criteria</p> <p>6 that the reviewers were supposed to follow in</p> <p>7 connection with analyzing the class members' letters?</p> <p>8 A. Only the training that they were</p> <p>9 provided --</p> <p>10 Q. Okay.</p> <p>11 A. -- beyond their -- beyond their -- their</p> <p>12 widely presumed and widely agreed understanding that</p> <p>13 they understand the English language.</p> <p>14 Q. Going back to paragraph 9, we're in 9(b),</p> <p>15 and 9(b) reads: Do the letters reflect the use of</p> <p>16 agents in their assertions to or questions of</p> <p>17 TransUnion?</p> <p>18 What is the definition of agents that</p> <p>19 you used in connection with your report?</p> <p>20 A. Well, the question was -- the question, as</p> <p>21 it's described here in paragraph 9, is, is there any</p> <p>22 indicia of a letter being sent to TransUnion not from</p> <p>23 the purported addressee -- addressor --</p> <p>24 Q. I understand --</p>
<p style="text-align: right;">Page 78</p> <p>1 reviewer, look to see whether or not there is the</p> <p>2 Figure 10 in the letter. If there is, put it in this</p> <p>3 category, if it's not, put it in another category.</p> <p>4 You could do that; right?</p> <p>5 A. Sure.</p> <p>6 Q. Okay. And the objective criteria there</p> <p>7 would be the presence of the number ten.</p> <p>8 My question to you is, with regard to</p> <p>9 these consumer letters that you had looked at, what</p> <p>10 were your in-or-out criteria that no matter what,</p> <p>11 they were followed, so we could test to see if your</p> <p>12 numbers are correct?</p> <p>13 A. So in a lot of this kind of work, Mr.</p> <p>14 Francis, the question is, is whether or not a --</p> <p>15 whether or not a sentence, a paragraph or the</p> <p>16 document that contains those is responsive to a set</p> <p>17 of criteria.</p> <p>18 That -- that practice, insofar as it</p> <p>19 is applied in -- in American juris prudence, has</p> <p>20 developed across the last 25 years, and to the extent</p> <p>21 that the direction to the reviewers who are reading</p> <p>22 the English language here with respect to whether or</p> <p>23 not a letter is responsive to a particular criterion</p> <p>24 is embodied in the training manual, the coding</p>	<p style="text-align: right;">Page 80</p> <p>1 A. Or address -- I should say addressee, I'm</p> <p>2 sorry, I've misspoken.</p> <p>3 Q. Sorry. Okay. Sorry, I didn't mean to</p> <p>4 interrupt you. I understand that was the intention.</p> <p>5 My question is, in order for me to</p> <p>6 determine whether or not a letter reflects the use of</p> <p>7 an agent, we have to know what the -- what an agent</p> <p>8 is; right?</p> <p>9 A. Once again, if it is not from the -- if</p> <p>10 it's not from the addressee, then, again, using the</p> <p>11 English language, it would have to be from someone</p> <p>12 else or somewhere else, and I have -- I have used the</p> <p>13 English language word "agent" as the -- as the</p> <p>14 catchall for that.</p> <p>15 Q. Okay. So are you saying that for the</p> <p>16 purposes of the analysis within your report, if a</p> <p>17 letter was sent from an address that was different</p> <p>18 than the consumer's address, you would presume that's</p> <p>19 from an agent?</p> <p>20 I just want to make sure I have it</p> <p>21 correctly.</p> <p>22 A. I don't make that presumption. I said it</p> <p>23 may be. It's sent from -- and so do the letters</p> <p>24 reflect the use of or indicia of. Perhaps, instead</p>

20 (Pages 77 to 80)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 81</p> <p>1 of use, I could substitute the word "indicia" and</p> <p>2 answer your -- and answer your question better.</p> <p>3 Q. Okay. What is the objective indicia for</p> <p>4 whether a letter was sent from -- by an agent?</p> <p>5 MR. O'NEIL: Objection, calls</p> <p>6 for a narrative.</p> <p>7 THE WITNESS: The difference</p> <p>8 between where a letter is sent and the --</p> <p>9 and the addressee's location, purported</p> <p>10 location, can provide a signal about the</p> <p>11 potential that someone else sent the</p> <p>12 letter on behalf of the addressee.</p> <p>13 BY MR. FRANCIS:</p> <p>14 Q. And was it up to the reviewer to determine</p> <p>15 whether or not that indicia was present?</p> <p>16 A. No, we capture that objectively.</p> <p>17 Q. That piece of data objectively or all of</p> <p>18 the data objectively?</p> <p>19 MR. O'NEIL: Objection, vague.</p> <p>20 THE WITNESS: I'm not sure what</p> <p>21 you mean, all of the data, Mr. Francis.</p> <p>22 BY MR. FRANCIS:</p> <p>23 Q. Well, you mean -- you just said that you</p> <p>24 capture the -- that data objectively.</p>	<p style="text-align: right;">Page 83</p> <p>1 Q. Okay.</p> <p>2 A. -- I can't answer -- I can't answer whether</p> <p>3 it was or wasn't.</p> <p>4 What I can say is that it raises a</p> <p>5 question about whether or not the letter was a bona</p> <p>6 fide letter from the addressee or whether it was --</p> <p>7 whether it was mailed to TransUnion on behalf of the</p> <p>8 addressee by someone else far distant.</p> <p>9 Q. All right. When you say far distance, what</p> <p>10 was your objective distance to determine whether or</p> <p>11 not something met that indicia?</p> <p>12 A. Sixty miles.</p> <p>13 Q. Okay. And to be clear for the record, you</p> <p>14 are saying that in terms of the analysis that your</p> <p>15 reviewers did, the determination as to -- one</p> <p>16 determination as to whether or not a letter was sent</p> <p>17 by an agent was whether or not it was sent 60 or more</p> <p>18 miles from where the consumer resided; is that what</p> <p>19 you're saying?</p> <p>20 A. Yes, sir, the 60-mile threshold.</p> <p>21 Q. Okay. And where did you get the 60-mile</p> <p>22 threshold?</p> <p>23 A. The 60-mile threshold is my direction.</p> <p>24 Q. When you say your direction, you mean it</p>
<p style="text-align: right;">Page 82</p> <p>1 Do you mean that the address, that</p> <p>2 from where it was sent, versus the consumer's</p> <p>3 address, you capture that objectively; is that right?</p> <p>4 A. I did for the sample -- for the samples</p> <p>5 that were taken for our analysis.</p> <p>6 Q. Okay. So, there was no interpretation</p> <p>7 necessary for those particular -- for that particular</p> <p>8 inquiry; correct?</p> <p>9 A. I don't know what you mean by no</p> <p>10 interpretation necessary.</p> <p>11 Q. Well, you would just see and compare two</p> <p>12 addresses, if it's -- if the addresses are different,</p> <p>13 then there's a presumption or indicia that it's</p> <p>14 not -- it's from an agent.</p> <p>15 A. Distance -- distance matters.</p> <p>16 Q. Okay. And when you say distance matters,</p> <p>17 what do you mean?</p> <p>18 A. Well, the report reflects and we discovered</p> <p>19 that a lot of letters are sent from locations far</p> <p>20 distant from the addressee and the --</p> <p>21 Q. And when you say -- go ahead.</p> <p>22 A. And so the question -- the question arises,</p> <p>23 was that letter sent by an agent for the addressee,</p> <p>24 and --</p>	<p style="text-align: right;">Page 84</p> <p>1 was supplied to you by counsel?</p> <p>2 A. No, it was my direction.</p> <p>3 Q. Oh. Where did you get 60 miles?</p> <p>4 A. I had to choose between some number, some</p> <p>5 real number, and 60 miles -- 60 miles was on the</p> <p>6 basis of my experience with different postal regions.</p> <p>7 Q. What was your experience with different</p> <p>8 postal regions which led you to choose 60 miles as</p> <p>9 the threshold for --</p> <p>10 A. Having -- having -- having lived and</p> <p>11 mailed -- having lived and mailed documents for most</p> <p>12 of my life in different places around the United</p> <p>13 States.</p> <p>14 Q. Okay. Just being an American and living as</p> <p>15 an American, that's what you based your -- your</p> <p>16 60-mile threshold on.</p> <p>17 MR. O'NEIL: Objection,</p> <p>18 misstates his testimony.</p> <p>19 BY MR. FRANCIS:</p> <p>20 Q. Is that correct?</p> <p>21 A. Based on both my experience as -- as a --</p> <p>22 as a -- also as a consumer of the -- of the -- of the</p> <p>23 Postal Service.</p> <p>24 Q. Okay. And, again, I think, as you said</p>

21 (Pages 81 to 84)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 85</p> <p>1 before, you didn't consult any materials or anybody</p> <p>2 from the U.S. Postal Service to determine whether 60</p> <p>3 miles had any relevance in terms of determining</p> <p>4 whether or not something was sent by -- from a</p> <p>5 consumer directly versus not; correct?</p> <p>6 A. At the time that this first report was</p> <p>7 written, you're -- the answer is correct.</p> <p>8 Q. Okay.</p> <p>9 A. If we get to the supplemental report, we</p> <p>10 can have a different -- a different conversation.</p> <p>11 Q. Now, all right, I was asking you about what</p> <p>12 the criteria was that you defined as indicia for</p> <p>13 agency, and you mentioned the 60-mile marker.</p> <p>14 Were there any other criteria, other</p> <p>15 than the 60-mile marker, which the reviewers used to</p> <p>16 determine whether or not a letter was sent by an</p> <p>17 agent or not?</p> <p>18 A. No, sir.</p> <p>19 Q. Okay. In terms of your assignment, were</p> <p>20 you ever asked to determine the number of letters</p> <p>21 which disputed an inquiry?</p> <p>22 MR. O'NEIL: Objection, vague</p> <p>23 as to what assignment and what time</p> <p>24 period.</p>	<p style="text-align: right;">Page 87</p> <p>1 situations that the consumer is in that</p> <p>2 could be characterized as a dispute.</p> <p>3 BY MR. FRANCIS:</p> <p>4 Q. A dispute of an inquiry.</p> <p>5 A. Yes.</p> <p>6 Q. Okay. But my question was, is you weren't</p> <p>7 tasked with that assignment.</p> <p>8 Tell me if a letter has a dispute of</p> <p>9 an inquiry in it or tell me the number of letters</p> <p>10 that have -- you would consider to have a dispute of</p> <p>11 an inquiry.</p> <p>12 MR. O'NEIL: Objection, form,</p> <p>13 compound.</p> <p>14 You can answer.</p> <p>15 THE WITNESS: Well, Mr.</p> <p>16 Francis, if we look at category number</p> <p>17 four in Table 2 --</p> <p>18 BY MR. FRANCIS:</p> <p>19 Q. Okay.</p> <p>20 A. -- the -- you know, the question -- you</p> <p>21 know, the question is, is that -- is that a -- is</p> <p>22 that a statement about a -- is that a statement about</p> <p>23 a dispute.</p> <p>24 If we can look at category seven, the</p>
<p style="text-align: right;">Page 86</p> <p>1 THE WITNESS: I was not asked</p> <p>2 for -- for any number, I was asked</p> <p>3 whether or not there was more than one --</p> <p>4 more than one context. I was not asked</p> <p>5 for a -- I was not asked for a particular</p> <p>6 number. I reported the results of my</p> <p>7 study, but I was not asked for a number.</p> <p>8 BY MR. FRANCIS:</p> <p>9 Q. Were you asked to determine whether a</p> <p>10 letter contained a dispute of an inquiry?</p> <p>11 MR. O'NEIL: Objection, vague</p> <p>12 as to dispute.</p> <p>13 Go ahead and answer if you can.</p> <p>14 THE WITNESS: Could I have the</p> <p>15 question read back either by the court</p> <p>16 reporter or would you repeat it, Mr.</p> <p>17 Francis.</p> <p>18 MR. FRANCIS: Andrea, could you</p> <p>19 read it back, please.</p> <p>20 (Pertinent portion of the</p> <p>21 record read back.)</p> <p>22 THE WITNESS: A dispute. Well,</p> <p>23 I think the -- the criteria associated</p> <p>24 with the categories include contexts or</p>	<p style="text-align: right;">Page 88</p> <p>1 letter centers on a consumer's assertion that the</p> <p>2 consumer did not authorize the end user's inquiry.</p> <p>3 In -- in the categories seven,</p> <p>4 eight -- seven, by contrast to six, seven, eight,</p> <p>5 ten, 11 and 12, which I identify in footnote 17, are</p> <p>6 circumstances that are features of the letter that --</p> <p>7 that -- that I have identified as reflecting a</p> <p>8 complaint, assertion or question about the accuracy</p> <p>9 of the account, and the -- and the -- and the coders</p> <p>10 were directed to attend to those features with very</p> <p>11 objective criteria.</p> <p>12 Q. Okay. I was simply asking what you were</p> <p>13 asked to do. You identified two inquiries as to the</p> <p>14 scope and the overview of your assignment in 1.2,</p> <p>15 paragraph 9.</p> <p>16 My question was, were you ever asked</p> <p>17 or assigned by TransUnion to tell us something</p> <p>18 different, tell us the number of letters which</p> <p>19 contain a dispute of an inquiry?</p> <p>20 MR. O'NEIL: Objection,</p> <p>21 misstates the prior question.</p> <p>22 THE WITNESS: I was not -- I</p> <p>23 was not asked or directed to produce any</p> <p>24 particular number. My question was --</p>

22 (Pages 85 to 88)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 89</p> <p>1 the question that was asked of me at the</p> <p>2 beginning was do the letters reflect more</p> <p>3 than one context for their complaints,</p> <p>4 assertions, questions or demands.</p> <p>5 The fact that I did analysis</p> <p>6 and provided those numbers to counsel is</p> <p>7 consistent with the quantitative methods</p> <p>8 that I am -- that I am competent to</p> <p>9 deliver with respect to advising counsel,</p> <p>10 the client, you and the Court as to -- as</p> <p>11 to what a sample says about the features</p> <p>12 of these letters, and so I quantify from</p> <p>13 objective criteria the features of these</p> <p>14 letters.</p> <p>15 BY MR. FRANCIS:</p> <p>16 Q. Correct. And if -- if you had been asked</p> <p>17 to include as a feature the simple feature that the</p> <p>18 letter includes a dispute of an inquiry, you could</p> <p>19 have done that; right?</p> <p>20 MR. O'NEIL: Objection, assumes</p> <p>21 facts not in evidence.</p> <p>22 THE WITNESS: I could have, but</p> <p>23 the -- but the challenge with respect to</p> <p>24 that, Mr. Francis, is that now I'm</p>	<p style="text-align: right;">Page 91</p> <p>1 A. I would not know.</p> <p>2 Q. Okay. And when you say you would not know,</p> <p>3 you mean you don't know whether or not any type of</p> <p>4 electronic search query utilizing search terms or</p> <p>5 words were run against these letters.</p> <p>6 A. I don't. I can say that the amount of time</p> <p>7 between the time that the letters were delivered each</p> <p>8 day to the reviewers and the amount of time that --</p> <p>9 that it took for them to provide their answers</p> <p>10 suggested that they did not shortcut the cognitive</p> <p>11 process of reading the English language, comparing it</p> <p>12 to the objective criteria and putting proper</p> <p>13 categories on the letters as they were -- as they</p> <p>14 were read in -- read twice; that is, independently by</p> <p>15 the reviewers.</p> <p>16 Q. Okay. But to be clear, they're reviewing</p> <p>17 the letters manually with their own eyes.</p> <p>18 You're not aware of any analysis of</p> <p>19 the letters that was conducted electronically by use</p> <p>20 of search terms run against terms within the letters;</p> <p>21 correct?</p> <p>22 A. Let's see. Let's -- let's be -- let's be</p> <p>23 careful about timing here.</p> <p>24 If you're talking about the way the</p>
<p style="text-align: right;">Page 90</p> <p>1 handing -- now I'm handing a reader a</p> <p>2 criterion that is vague, and so to</p> <p>3 avoid -- to avoid a vague interpretation</p> <p>4 of a letter, I've tried to provide more</p> <p>5 granular direction with respect to</p> <p>6 specific features.</p> <p>7 BY MR. FRANCIS:</p> <p>8 Q. Okay. So did you ever supply the reviewers</p> <p>9 with search terms to run against the letters?</p> <p>10 A. Yes.</p> <p>11 MR. O'NEIL: Objection.</p> <p>12 BY MR. FRANCIS:</p> <p>13 Q. Yes. Okay.</p> <p>14 A. The search terms -- the search terms are --</p> <p>15 are cognitive. When you say run, they're cognitive</p> <p>16 with respect to look for these particular words and</p> <p>17 phrases, and -- and all of those are spelled out in</p> <p>18 the coding manual.</p> <p>19 Q. Okay.</p> <p>20 A. It's very objective.</p> <p>21 Q. And did -- did any of the reviewers utilize</p> <p>22 a search-and-find function or query electronically</p> <p>23 against the letters, where certain terms and/or words</p> <p>24 were run against the letters?</p>	<p style="text-align: right;">Page 92</p> <p>1 reviewers read the letters?</p> <p>2 Q. Correct.</p> <p>3 A. I'm not aware of the reviewers using</p> <p>4 electronic -- electronic support for their analysis.</p> <p>5 Q. Right. You're not aware, for example, of a</p> <p>6 situation where run this phrase against the letters,</p> <p>7 I write to dispute an inquiry on my TransUnion file,</p> <p>8 find that phrase.</p> <p>9 That was never done; correct?</p> <p>10 A. I didn't say that it wasn't done, I said I</p> <p>11 wasn't aware of whether any reviewer used any kind</p> <p>12 of -- any kind of search criteria.</p> <p>13 What I can say is that the -- that the</p> <p>14 results were provided -- that results were provided</p> <p>15 to me -- because they're working independently, the</p> <p>16 results were provided to me to evaluate their -- the,</p> <p>17 I'll call it, the concordance or accordance of their</p> <p>18 review. The -- the methods by which they did that</p> <p>19 were -- were -- were specifically directed in the</p> <p>20 coding manual.</p> <p>21 If they used any kind of electronic</p> <p>22 supplement to their compliance with that coding</p> <p>23 manual, I would have no idea.</p> <p>24 Q. Okay. But before you issued your report</p>

23 (Pages 89 to 92)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

<p style="text-align: right;">Page 93</p> <p>1 and you signed off on this, did you make an attempt 2 to figure out exactly what the reviewers did so you 3 could state with confidence the opinions that you set 4 forth? 5 A. The reviewers were -- were directed to read 6 and to describe, per the criteria of the coding 7 manual, the features of the letters. That is a -- 8 that is a cognitive process, any -- it -- just -- 9 just as -- just as we are all looking at the printed 10 word today and drawing -- drawing meaning from it, so 11 there is no -- no -- nothing fancier than that with 12 respect to this, and it's a -- it's such a generally 13 accepted practice in American juris prudence across 14 the last 20 years that it doesn't -- it doesn't bear 15 any suspicion. 16 Q. Are you opining on American juris prudence 17 today? 18 A. I said this practice of doing bibliographic 19 work within American juris prudence. 20 Q. You don't have any law degrees, do you? 21 A. No, sir. 22 Q. And you don't consider yourself to be an 23 expert witness in terms of the legal field, do you? 24 MR. O'NEIL: Objection, vague.</p>	<p style="text-align: right;">Page 95</p> <p>1 valid random sample of over 800 letters from the 2 population of letters submitted to TransUnion, the 3 population of letters present a wide variety of 4 complaints, assertions, questions or demands, period. 5 First question for you is, 6 objectively, what constitutes a wide variety versus a 7 non-wide variety? 8 A. Many versus fewer. 9 Q. How many? 10 A. It's a judgment call, Mr. Francis. 11 Q. I'm asking what you mean, a -- is a wide 12 variety ten, 20, 40 or 100? 13 A. Well, in this case -- in this case, because 14 we were able to describe almost the entirety of the 15 features within approximately 15 objective 16 categories, 15 seems -- 15 seems wide to me, in 17 relation to one. 18 Q. Okay. And, again, you didn't -- other than 19 the features of complaints, assertions, questions and 20 demands, you didn't render any opinion regarding 21 whether those letters contained disputes of 22 inquiries; correct? 23 A. Once again, the -- the categories seven, 24 eight, ten, 11 and 12 subsume complaints, assertions,</p>
<p style="text-align: right;">Page 94</p> <p>1 THE WITNESS: I'm not sure what 2 you mean by the legal field. 3 With respect to using 4 bibliographic evidence in the course of 5 developing evidence for litigation, I 6 have a lot of expertise. 7 BY MR. FRANCIS: 8 Q. Do you -- are you able to opine today about 9 what happens in American juris prudence? 10 MR. O'NEIL: Objection, vague. 11 THE WITNESS: Again, with 12 respect to -- with respect to my 13 understanding of that term and the use of 14 the -- the use of bibliographic search in 15 it, then I'm speaking to that particular 16 practice of using bibliographic -- 17 bibliographic search and analysis 18 within -- within the course of bringing 19 evidence into -- into litigation. 20 BY MR. FRANCIS: 21 Q. All right. Let's turn to the next page, 22 which is the summary of opinions at 1.4. 23 At opinion one, you -- at opinion one, 24 you state that: On the basis of a statistically</p>	<p style="text-align: right;">Page 96</p> <p>1 questions or demands. 2 Q. Okay. Is it your opinion and testimony 3 today, Dr. Lasater, that the letter categories in 4 your Table 2 of seven, eight, ten, 11 and 12 all 5 included some type of a dispute of an inquiry? 6 MR. O'NEIL: Objection, vague. 7 THE WITNESS: I think that 8 the -- the categories seven, eight, ten, 9 11 and 12 reflect complaints, assertions, 10 questions or demands. 11 I was not -- I was not asked to 12 address the issue of dispute. 13 BY MR. FRANCIS: 14 Q. Okay. Let me break that down. 15 But is it your testimony that seven, 16 eight, ten, 11 and 12 address the complaint, 17 assertion, question or demand about an inquiry? 18 A. That is the feature of the inquiry. 19 Q. Okay. But you weren't asked to determine 20 whether an inquiry -- whether a letter had a feature 21 of a dispute; correct? 22 A. None of my -- none of -- well, first of 23 all, all of these categories are -- are categories 24 that are developed from the letters. I was not asked</p>

<p style="text-align: right;">Page 97</p> <p>1 to develop evidence on any of these specific</p> <p>2 categories. This is 100 -- this is 100 percent FTI</p> <p>3 work.</p> <p>4 Secondly -- secondly, I was not asked</p> <p>5 to -- asked by counsel to read a letter or to</p> <p>6 evaluate it with respect to whether it was a dispute.</p> <p>7 Q. Gotcha. But you could have done that and</p> <p>8 looked at that -- for that feature, as well as the</p> <p>9 other features you looked for; correct?</p> <p>10 A. That would require -- that would require an</p> <p>11 understanding of the word "dispute" as it might be</p> <p>12 used in -- in the context of this case, it would</p> <p>13 require, I think, a -- maybe even a legal</p> <p>14 determination of what is a dispute.</p> <p>15 I was not asked to do that and -- and</p> <p>16 to use that word without any specific direction of it</p> <p>17 from -- from counsel or that I would -- that I would</p> <p>18 understand from the documents that I read would be --</p> <p>19 would be different from what I captured in this</p> <p>20 analysis.</p> <p>21 Q. So you're saying that you couldn't</p> <p>22 determine whether a letter had the feature of a</p> <p>23 dispute, but you could determine that it had the</p> <p>24 feature of a complaint, assertion, question or</p>	<p style="text-align: right;">Page 99</p> <p>1 readers understood the letters to have features, and</p> <p>2 was focused on that; it was not about the broader</p> <p>3 question of dispute.</p> <p>4 Q. Okay. You just stated that the word</p> <p>5 "dispute" could be different things to you and me.</p> <p>6 Isn't that the same for complaints,</p> <p>7 assertions, questions and demands? Couldn't those</p> <p>8 words mean different things to different people?</p> <p>9 A. Once again, I did not ask the reader --</p> <p>10 evidently, they do because -- because you and I are</p> <p>11 having a long -- a long dialogue about it, but what's</p> <p>12 important are the features of the letters that are</p> <p>13 reflected in Table 2 and the analysis that the</p> <p>14 readers did of those features.</p> <p>15 Q. Wouldn't you agree with me that whether a</p> <p>16 letter contained a dispute would be a feature of the</p> <p>17 letter?</p> <p>18 A. Once again, there -- there -- there could</p> <p>19 be a -- there could be a feature that is a feature of</p> <p>20 a dispute, and I tried to capture that in granular</p> <p>21 fashion in the -- in the categories, and I -- and</p> <p>22 I -- and I write to that in footnote 17.</p> <p>23 Q. Okay. Let's go to opinion number two. You</p> <p>24 state, among other things: On the basis of a</p>
<p style="text-align: right;">Page 98</p> <p>1 demand.</p> <p>2 A. It would require -- it would require a -- a</p> <p>3 morphos understanding of the communication and the</p> <p>4 exchange between the consumer and TransUnion, and I</p> <p>5 didn't --</p> <p>6 Q. Why -- why --</p> <p>7 A. Go ahead.</p> <p>8 Q. Why is a dispute more -- that word more a</p> <p>9 morphos than the words, "complaints," "assertions,"</p> <p>10 "questions" or "demands"?</p> <p>11 MR. O'NEIL: Objection. Please</p> <p>12 stop interrupting the witness when he's</p> <p>13 trying to answer your questions, that way</p> <p>14 you will not get complete answers.</p> <p>15 BY MR. FRANCIS:</p> <p>16 Q. Go ahead, sir, please answer my question.</p> <p>17 A. The word "dispute" may mean different</p> <p>18 things to me and to you. I understand that dispute</p> <p>19 as you're -- as you're using it can be subsumed in</p> <p>20 more granular -- more granular features of the</p> <p>21 communication, and that's what I sought to do.</p> <p>22 Rather than to deal with some</p> <p>23 overarching term, I tried to use the letters as they</p> <p>24 were presented to me and as the -- as -- as objective</p>	<p style="text-align: right;">Page 100</p> <p>1 systematic analysis of the random sample of letters,</p> <p>2 43.7 percent do not complain directly about the</p> <p>3 accuracy of an inquiry on a consumer's TransUnion</p> <p>4 file, period.</p> <p>5 Do you see that?</p> <p>6 A. Yes, sir.</p> <p>7 Q. If I'm a reviewer looking at the letters,</p> <p>8 what objective criteria would instruct me as to</p> <p>9 whether a letter complained directly or not directly?</p> <p>10 MR. O'NEIL: Objection, assumes</p> <p>11 facts not in evidence, that that was the</p> <p>12 job of the reviewer.</p> <p>13 THE WITNESS: The reviewer</p> <p>14 was -- the reviewer was asked to evaluate</p> <p>15 the features of the letter that was put</p> <p>16 before them.</p> <p>17 BY MR. FRANCIS:</p> <p>18 Q. And what were the criteria that the</p> <p>19 reviewers would use to determine whether a letter</p> <p>20 complained directly or not about the accuracy of an</p> <p>21 inquiry?</p> <p>22 MR. O'NEIL: Same objection --</p> <p>23 same objection, assumes facts not in</p> <p>24 evidence.</p>

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 101	Page 103
<p>1 Go ahead and answer, Dr.</p> <p>2 Lasater.</p> <p>3 THE WITNESS: The direct is --</p> <p>4 is my interpretation of the -- and</p> <p>5 summary of the -- the more granular data</p> <p>6 that is developed from the reviewer's</p> <p>7 work.</p> <p>8 BY MR. FRANCIS:</p> <p>9 Q. How were you able to state in opinion two</p> <p>10 that 43.7 percent of the random sample of the letters</p> <p>11 did not complain directly about the accuracy of an</p> <p>12 inquiry?</p> <p>13 A. Well, a -- a direct -- a direct complaint,</p> <p>14 again, is -- is granularly -- is granularly available</p> <p>15 from categories -- and I don't want to misstate it.</p> <p>16 We've said it over and over. The categories that are</p> <p>17 indicated in footnote 17, which are seven, eight,</p> <p>18 ten, 11 and 12.</p> <p>19 Q. Okay. What about category seven, eight,</p> <p>20 ten, 11 or 12 tell us what criteria was used to</p> <p>21 determine whether someone complained directly about a</p> <p>22 dispute or not?</p> <p>23 A. Once again, we would have to go to the</p> <p>24 coding manual to look at the -- to look at the</p>	<p>1 play is with respect to the accuracy of the report,</p> <p>2 and -- and a focus on the accuracy of the report is</p> <p>3 reflected potentially in categories seven, eight,</p> <p>4 ten, 11 and 12 specifically.</p> <p>5 Q. Okay. And I'm looking at your Table 2.</p> <p>6 Let's -- I may as well ask this while we're on it.</p> <p>7 Category number seven -- category</p> <p>8 number eight references, and this -- this is from the</p> <p>9 training manual flow chart, the, quote, unquote:</p> <p>10 Letter centers on the consumer's assertion.</p> <p>11 Both of them use that language. Do</p> <p>12 you see that?</p> <p>13 A. I do.</p> <p>14 Q. What was -- what was the objective criteria</p> <p>15 for determining whether a letter centered on</p> <p>16 something?</p> <p>17 A. I think we need to be -- be careful here,</p> <p>18 Mr. Francis. The -- the specific criteria that was</p> <p>19 used by the reviewers is in the coding manual.</p> <p>20 This -- this table is intended to</p> <p>21 provide a -- a useful summary, but it is -- it is --</p> <p>22 it is not and can't be seen as standalone of the</p> <p>23 reviewers' decisions and processes that they used to</p> <p>24 determine whether or not a letter had a category</p>
Page 102	Page 104
<p>1 direction and the examples, and the word "direct" has</p> <p>2 to do with focus on a particular -- a -- a particular</p> <p>3 element of their account with TransUnion.</p> <p>4 Q. Okay. Right. You just used the word</p> <p>5 "focus." I was going to ask you about the language,</p> <p>6 which we'll get to in a little bit, "centers on" is</p> <p>7 also used as focus.</p> <p>8 What determined whether a letter had a</p> <p>9 focus on a particular element versus not a particular</p> <p>10 element?</p> <p>11 MR. O'NEIL: Objection, vague.</p> <p>12 THE WITNESS: Because it makes</p> <p>13 specific reference to an entry on the</p> <p>14 credit report.</p> <p>15 BY MR. FRANCIS:</p> <p>16 Q. Okay. If a letter included disputes of</p> <p>17 four different items, one of which was a dispute of</p> <p>18 an inquiry, would that fall within your category of</p> <p>19 directly complained?</p> <p>20 A. Once again -- once again, we're talking</p> <p>21 about features of the letters, and we have to look at</p> <p>22 whether or not the -- whether or not the feature,</p> <p>23 the -- the notion of direct here, has to do with --</p> <p>24 has -- and where -- where the footnote 17 comes into</p>	<p>1 eight feature --</p> <p>2 Q. Okay.</p> <p>3 A. -- and so we'd have to look -- we -- to --</p> <p>4 to answer your question better, we need to look in</p> <p>5 each instance at the coding manual to see whether or</p> <p>6 not we would agree or disagree that reading a letter</p> <p>7 would -- whether -- whether there is sufficient</p> <p>8 direction in that coding manual to allow an objective</p> <p>9 reader to decide that that letter had a feature eight</p> <p>10 category.</p> <p>11 Q. Okay. If you want to, why don't you take</p> <p>12 us to the manual which would outline and/or address</p> <p>13 the objective criteria for determining whether a</p> <p>14 letter centered on a particular assertion. I've</p> <p>15 never seen it, but if you want to find it, that's</p> <p>16 fine.</p> <p>17 MR. O'NEIL: Mr. Francis, we've</p> <p>18 been going over 90 minutes since our last</p> <p>19 break, so can you let us know when is a</p> <p>20 good time to take a short break.</p> <p>21 MR. FRANCIS: Sure. Let me --</p> <p>22 let's just finish this question or so,</p> <p>23 and then my -- my recommendation is we</p> <p>24 take a lunch break.</p>

26 (Pages 101 to 104)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 105	Page 107
<p>1 MR. O'NEIL: Okay.</p> <p>2 MR. FRANCIS: But let's just,</p> <p>3 while we're on this --</p> <p>4 BY MR. FRANCIS:</p> <p>5 Q. So, sir, can you point me or us to anyplace</p> <p>6 in the manual that you're referencing which</p> <p>7 identifies the criteria for determining whether a</p> <p>8 letter centered on a particular assertion or not.</p> <p>9 A. All right. So I don't have Bates-stamped</p> <p>10 pages.</p> <p>11 Q. Okay.</p> <p>12 A. Perhaps your -- perhaps your associate</p> <p>13 could bring up the -- if you have them Bates stamped,</p> <p>14 the -- well, since you've used centers -- centers,</p> <p>15 that is part of category eight or bucket eight in the</p> <p>16 coding manual.</p> <p>17 Q. Okay. When you say bucket eight in the</p> <p>18 coding manual, you're not referring -- referring to</p> <p>19 the flow chart; right?</p> <p>20 A. Well, we want to look at the specific</p> <p>21 criteria and examples.</p> <p>22 Q. Okay. And where is -- what -- what section</p> <p>23 would that be?</p> <p>24 A. Again, it's in -- it's in the -- it's in</p>	<p>1 BY MR. FRANCIS:</p> <p>2 Q. Okay. Are you telling me the page that</p> <p>3 begins at 6.2, bucket number seven --</p> <p>4 A. Yes.</p> <p>5 Q. -- includes all of the criteria for -- for</p> <p>6 the reviewer to determine whether or not a letter</p> <p>7 centers on a consumer's assertion that she did not</p> <p>8 authorize the end user's inquiry?</p> <p>9 A. No, sir. I'm saying that you have to go</p> <p>10 into the training manual --</p> <p>11 Q. Okay.</p> <p>12 A. -- and -- and --</p> <p>13 Q. Where in -- where in the training manual</p> <p>14 would it --</p> <p>15 A. So -- so the training -- I -- I don't have</p> <p>16 a Bates -- I don't have a Bates-stamped copy, so your</p> <p>17 associate is going to have to scroll from -- I</p> <p>18 suspect it's -- she -- he or she is going to have to</p> <p>19 scroll from the flow chart back about, looks like,</p> <p>20 about 50 pages.</p> <p>21 Q. Before the flow chart or after?</p> <p>22 A. It would be after the flow chart.</p> <p>23 Q. And your page begins at the top -- what</p> <p>24 begins at the top of your page?</p>
Page 106	Page 108
<p>1 the Exhibit 6.2 --</p> <p>2 Q. Okay.</p> <p>3 A. -- training manual.</p> <p>4 Q. Yep. And then you want to go to bucket</p> <p>5 seven or eight?</p> <p>6 A. We're talking about -- yeah, well, because</p> <p>7 you used the word "centers," and centers is part of</p> <p>8 the general description of category eight and centers</p> <p>9 is -- is -- is just a verb that is really going to</p> <p>10 the -- the characteristic of the letter insofar as</p> <p>11 the -- the use of the term "permissible purpose."</p> <p>12 Q. Okay. Just to be clear, Dr. Lasater, I had</p> <p>13 asked you before about categories seven and eight,</p> <p>14 because they both use the phrase, "letter centers on</p> <p>15 the consumer's assertion."</p> <p>16 A. That's good. If you -- if you want, we can</p> <p>17 do seven.</p> <p>18 MR. FRANCIS: Let's look at</p> <p>19 bucket number seven. Okay. Rayne, on</p> <p>20 there --</p> <p>21 THE WITNESS: So -- and so</p> <p>22 we -- we could change the word "center"</p> <p>23 to "contains the feature of" and</p> <p>24 accomplish exactly the same analysis.</p>	<p>1 A. You can see -- you can see how -- how the</p> <p>2 associate is identifying that was most recently</p> <p>3 bucket three, and they are in numerical order, so we</p> <p>4 go to bucket seven.</p> <p>5 Q. Oh, okay. We're going over the examples;</p> <p>6 right?</p> <p>7 A. Bucket seven is -- is there.</p> <p>8 Q. Yeah, okay, I'm there, we're at bucket</p> <p>9 number seven.</p> <p>10 I see for bucket number seven, five</p> <p>11 pages, beginning with the heading, Bucket Number 7?</p> <p>12 A. Yes.</p> <p>13 Q. And then going to bucket number eight;</p> <p>14 correct?</p> <p>15 A. Yes.</p> <p>16 Q. Okay.</p> <p>17 A. And so --</p> <p>18 Q. So my question to you is, in these five</p> <p>19 pages, would you tell me what the criteria is for</p> <p>20 determining whether a letter centered upon a</p> <p>21 consumer's assertion.</p> <p>22 A. "Centers," again, can be used as -- as a</p> <p>23 synonym for "contains the feature of."</p> <p>24 Q. Okay. And then, assuming you use that</p>

27 (Pages 105 to 108)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 109</p> <p>1 synonym, what would be the objective criteria for the</p> <p>2 reviewer to determine whether the letter centered</p> <p>3 upon something or contained the feature?</p> <p>4 How do I know yes, it's in; no, it's</p> <p>5 out?</p> <p>6 A. You can see on that page the first bullet.</p> <p>7 Q. Okay. And what would determine whether the</p> <p>8 consumer specifically cited authorization?</p> <p>9 My question to you is, it's the word</p> <p>10 "authorization" appearing there?</p> <p>11 What -- what objective method would</p> <p>12 determine whether or not that a consumer's</p> <p>13 specifically citing an authorization? And if it's</p> <p>14 just the word "authorization," that's fine.</p> <p>15 MR. O'NEIL: Objection to form.</p> <p>16 THE WITNESS: "Authorization"</p> <p>17 here is -- is -- is the -- is the keyword</p> <p>18 that the reviewer is going to be looking</p> <p>19 for, but the context of the use of that</p> <p>20 keyword is going to be important.</p> <p>21 MR. FRANCIS: All right. Let's</p> <p>22 go off the video.</p> <p>23 THE VIDEOGRAPHER: Off the</p> <p>24 video record, 12:56 p.m.</p>	<p style="text-align: right;">Page 111</p> <p>1 first and second reviewer occurred with respect to</p> <p>2 reading in a letter with -- with this feature or not,</p> <p>3 that was resolved between the reviewers and the</p> <p>4 quality assurance person at Logility. So to --</p> <p>5 Q. And are you saying that --</p> <p>6 A. -- to the -- pardon me. So to the extent</p> <p>7 that there is a -- a confluence of understanding</p> <p>8 about how a letter would be read with respect to this</p> <p>9 criteria, that confluence has to be added to the</p> <p>10 training manual that preceded the reading.</p> <p>11 Q. Okay. But in terms of written criteria, am</p> <p>12 I correct that what we're looking at here in bucket</p> <p>13 seven, at 6.2 of your report, this is the only</p> <p>14 written criteria they were provided with?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Okay. Now, I had asked you and you had</p> <p>17 pointed me to bullet point number one of bucket</p> <p>18 seven, the first page, which reads: A letter should</p> <p>19 be tagged bucket seven if the consumer specifically</p> <p>20 sites authorization as an issue.</p> <p>21 And I asked you what would the</p> <p>22 reviewer -- how would the reviewer determine whether</p> <p>23 a letter specifically cited authorization as an issue</p> <p>24 versus generally cited or implicitly cited?</p>
<p style="text-align: right;">Page 110</p> <p>1 (Luncheon recess.)</p> <p>2 THE VIDEOGRAPHER: Back on the</p> <p>3 video record, 1:46 p.m.</p> <p>4 BY MR. FRANCIS:</p> <p>5 Q. All right. Dr. Lasater, before we took a</p> <p>6 lunch break, I was asking you about bucket seven</p> <p>7 within what you referred to as the training manual,</p> <p>8 which appears at 6.2 of your report, and I was asking</p> <p>9 you, and I'm going to ask you again, so does -- does</p> <p>10 the page bucket seven and the following four pages</p> <p>11 that precede bucket eight of your report -- or the</p> <p>12 training manual, does it document the entire criteria</p> <p>13 that the reviewers were applying when determining if</p> <p>14 a letter fell into bucket seven?</p> <p>15 MR. O'NEIL: Objection, vague.</p> <p>16 THE WITNESS: This is the</p> <p>17 direction that I gave them.</p> <p>18 BY MR. FRANCIS:</p> <p>19 Q. Okay. Is there any other direction that</p> <p>20 you gave them regarding criteria or definitions,</p> <p>21 objective, subjective or otherwise, other than what's</p> <p>22 set forth here in the training manual?</p> <p>23 A. With respect to providing them with ex-ante</p> <p>24 guidance, where -- where any differences between the</p>	<p style="text-align: right;">Page 112</p> <p>1 What would be the -- the objective</p> <p>2 element that would satisfy that criteria?</p> <p>3 A. Well, the use of the word "authorize," and</p> <p>4 "authorize" -- "authorize" within the context of</p> <p>5 sentences within the letter as are reflected in the</p> <p>6 examples that are provided.</p> <p>7 Q. Okay. And what would they use to determine</p> <p>8 whether there were other sentences in context which</p> <p>9 would indicate that a consumer specifically cited</p> <p>10 authorization as an issue?</p> <p>11 A. I -- once again, we're talking about words</p> <p>12 within the general usage in the English language</p> <p>13 as -- as -- as processed by lawyers who are trained</p> <p>14 to read the English language and understand the</p> <p>15 nuance of words within sentences and the legal --</p> <p>16 and the -- and the linguistics associated with it.</p> <p>17 Q. Okay. Would you agree with me that that</p> <p>18 process or endeavor by the reviewers involved some</p> <p>19 degree of subjective review?</p> <p>20 A. I would agree that it involves judgment and</p> <p>21 that the judgment -- the variety of judgment can be</p> <p>22 evaluated with respect to the divergence of</p> <p>23 understanding of the words within the context that</p> <p>24 they are provided and whether or not that divergence</p>

28 (Pages 109 to 112)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 113</p> <p>1 is -- is something that is specific to the quality of</p> <p>2 the document that is being -- and by quality, I mean</p> <p>3 the characteristics of the document that is being</p> <p>4 evaluated, and so it involves judgment, cognitive</p> <p>5 analysis by trained lawyers, independent trained</p> <p>6 lawyers, with respect to reading English language.</p> <p>7 Q. Okay. And I think you said before -- would</p> <p>8 the word "authorization" have to be present in the</p> <p>9 letter in order for the -- the reviewer to determine</p> <p>10 and code it as a bucket seven?</p> <p>11 A. I don't know -- I don't know whether</p> <p>12 authorization is -- is specifically required, but I</p> <p>13 believe that in most every instance, and I can't -- I</p> <p>14 can't cite -- I can't cite an example outside it,</p> <p>15 but -- but we see both of these letters -- both of</p> <p>16 these letters from different consumers, and by the</p> <p>17 way, I would point out that they are the same letter,</p> <p>18 but -- but one of them is emphasizing other -- other</p> <p>19 features of the letter as well, the highlighted and</p> <p>20 yellow is using the word "authorize" within</p> <p>21 sentences.</p> <p>22 Q. Is there a search query that could be</p> <p>23 designed as applied to the population of letters that</p> <p>24 your team reviewed which would identify all of the</p>	<p style="text-align: right;">Page 115</p> <p>1 were the same -- whether they were the same persons</p> <p>2 or different persons, but what I can say is that --</p> <p>3 that we got coding for the letters simultaneously</p> <p>4 from two different, independent reviews of the</p> <p>5 letters.</p> <p>6 Q. So are you saying each letter was reviewed</p> <p>7 by two separate people?</p> <p>8 A. Yes.</p> <p>9 Q. Okay.</p> <p>10 A. And then -- and then the -- and then the</p> <p>11 coding -- and then the coding after that was</p> <p>12 evaluated with respect to its agreement. If there</p> <p>13 was disagreement, there was a resolution of that as</p> <p>14 between -- as between the reviewers.</p> <p>15 And then -- and then subsequent to</p> <p>16 that, once -- once we got the coding and we looked at</p> <p>17 especially letters that had -- that had a template</p> <p>18 characteristic, whether within the two samples, that</p> <p>19 characteristic was treated similarly in the two as</p> <p>20 samples, and so there were at least two layers of</p> <p>21 quality assurance associated with the interpretation</p> <p>22 of the -- of the characteristics of the letters.</p> <p>23 Q. Okay. Are you saying that there were times</p> <p>24 when the reviewers had conflicting views of what was</p>
<p style="text-align: right;">Page 114</p> <p>1 bucket seven letters that your team identified?</p> <p>2 A. I don't know.</p> <p>3 Q. Okay. Do you know -- do you know any way</p> <p>4 to test whether the criteria that's outlined here on</p> <p>5 page bucket seven and in the accompanying pages was</p> <p>6 correctly applied to the sample of letters that your</p> <p>7 team reviewed?</p> <p>8 A. Yes, I mentioned it earlier.</p> <p>9 Q. Okay. But you're not aware of any</p> <p>10 electronic method for doing that?</p> <p>11 A. Well, the electronic -- the electronic --</p> <p>12 the electronic method is when the letter was coded</p> <p>13 and if there was a -- if there was a difference in</p> <p>14 the coding for a letter, that -- that triggered a --</p> <p>15 that -- that -- that triggered a difference, because</p> <p>16 all of the letters were -- were read simultaneously</p> <p>17 by two independent contract -- contract lawyers.</p> <p>18 Q. So are you saying that they -- all the --</p> <p>19 the two contract lawyers reviewed all of the letters?</p> <p>20 A. What I'm saying is the letters were -- were</p> <p>21 read by two -- by two contract lawyers in the employ</p> <p>22 of Logility.</p> <p>23 Q. Okay. I guess my --</p> <p>24 A. I don't know -- I don't know whether they</p>	<p style="text-align: right;">Page 116</p> <p>1 stated in the letter such that they would have put</p> <p>2 them in different buckets?</p> <p>3 A. The answer is -- the answer is -- is</p> <p>4 conflicting generally in the sense of one not --</p> <p>5 one -- one reviewer seeing more in a letter than</p> <p>6 another reviewer.</p> <p>7 Q. So was your answer yes, that there were</p> <p>8 situations where the reviewers would have differing</p> <p>9 or conflicting buckets?</p> <p>10 A. Again, I'm not going to -- I'm not going to</p> <p>11 suggest that they are conflicting, I'm going to</p> <p>12 suggest that there were different -- when there was</p> <p>13 different coding, then it was subject to a quality</p> <p>14 assurance analysis, so that the -- that the coding</p> <p>15 could be agreed between the quality assurance person</p> <p>16 and the -- and the readers. I think that's described</p> <p>17 in the report.</p> <p>18 Q. Okay. And how many different instances</p> <p>19 were there where there was a differing reading or</p> <p>20 a -- what I call a conflict between the two</p> <p>21 reviewers?</p> <p>22 A. I -- I can't speak to that, I don't know.</p> <p>23 Q. Okay. In terms of the criteria, so maybe</p> <p>24 you answered this, maybe not, it was unclear to me,</p>

29 (Pages 113 to 116)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 117</p> <p>1 was the word "authorization" required in order for a 2 letter to be coded as bucket seven? 3 MR. O'NEIL: Object, asked and 4 answered. 5 THE WITNESS: I'm not sure I 6 would -- I would agree that -- that 7 authorization was required, but I 8 would -- I would anticipate that since 9 the issue has to do with authorization, 10 that the word should appear in the 11 letter. 12 BY MR. FRANCIS: 13 Q. Okay. 14 A. I'm using the word -- and I'm using 15 "should" as a normative; right? 16 That it would -- that we would 17 anticipate that if the letter had the word 18 "authorize," that bucket seven would be considered as 19 to whether or not the letter had a bucket seven 20 feature. 21 Q. Okay. But you're not certain whether the 22 word "authorization" was required in order for bucket 23 seven to be applied. 24 A. It's not -- it's -- there is no -- there is</p>	<p style="text-align: right;">Page 119</p> <p>1 sounds to me like it is a first criterion of 2 consideration by the reviewers. 3 Q. If the consumer had stated, I never applied 4 for credit with company X, would that satisfy bucket 5 seven? 6 A. We have to look at -- at any of the 7 other -- any of the other features; right? 8 Q. How about just that sentence, I never 9 applied for credit with Capital One, does that -- 10 does that get a bucket seven or did it not? 11 A. I would have to look back at the sample to 12 know the answer to that question. 13 Q. Okay. If you want to, it should be right 14 there. Why don't you look at the sample. 15 A. What I'm saying is I'd have to look at 16 the -- I would have to look at the letters that fall 17 into the -- fall into the sample and look at the hard 18 copy of the letters themselves to see -- to see 19 whether or not there are any that have -- that are 20 exclusively -- exclusively the language that you are 21 using to see how those were coded. I can't answer 22 your question without that. 23 Q. Okay. Okay. 24 A. And that -- and that highlights -- that</p>
<p style="text-align: right;">Page 118</p> <p>1 no requirement. A -- if you look at the first 2 bullet, there is the normative: A letter should be 3 tagged bucket seven if the consumer specifically 4 cites authorization as an issue. 5 However, with respect to the category 6 where the -- the consumer asserts that they did not 7 authorize the end user's inquiry, then we have to 8 look at -- at the context in which the word 9 "authorize" appears. 10 Q. Okay. All right. Are you saying, then, 11 that there were no required magic words, the presence 12 of which had to be there in order for bucket seven to 13 apply? 14 A. Once again, a letter should be tagged 15 bucket seven, but it has to be -- the -- the 16 authorization has to be manually evaluated within its 17 context in order to determine whether the feature of 18 the assertion that the consumer's making with respect 19 to the authorization of the end user's inquiry is -- 20 is a correct -- is a -- is a correct coding of that 21 feature. 22 Q. Were there any required magic words for any 23 of the buckets? 24 A. Once again, "should" is a normative, which</p>	<p style="text-align: right;">Page 120</p> <p>1 highlights the importance of -- of the need to look 2 at each letter independently. 3 Q. Okay. And if the consumer said, I never 4 gave Capital One permission to pull my credit, would 5 that be coded as -- have been coded as a bucket 6 seven? 7 A. Once again, we would have to look at the 8 individual -- at the individual letters to see 9 whether or not permission and authorization are -- 10 are viewed as equivalent in the hands of the -- in 11 the hands and in the brains of the contract 12 reviewers. 13 Q. Would the presence of the language 14 "permission" or "I never gave my permission to run my 15 credit," would that be language which would trigger 16 the coding of bucket seven or not -- 17 A. Well, that's -- 18 Q. -- or would that depend on the reading of 19 the reviewer? 20 A. Once again, I didn't insert myself into the 21 interpretation, Mr. Francis. This was -- these were 22 contract lawyers reading -- reading these letters and 23 agreeing on their inclusion -- inclusion with respect 24 to a category. We would have to look at each and</p>

30 (Pages 117 to 120)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 121</p> <p>1 every letter to be able to answer your question.</p> <p>2 Q. Okay. Well, I'm just -- well, I'm just</p> <p>3 asking whether or not that was a rule, that if the</p> <p>4 word "permission" were included or a phrase</p> <p>5 mentioning permission, whether that would be a rule</p> <p>6 which would cause the reviewer to assign bucket</p> <p>7 seven, regardless of what they did.</p> <p>8 A. Yeah, the answer -- yeah, the answer -- the</p> <p>9 answer to that is -- the answer to that is there is</p> <p>10 not -- there is not a rule, but that is -- that is</p> <p>11 one of the elements of needing to read the letters</p> <p>12 individually because of the wide variety of English</p> <p>13 language within context in sentences and paragraphs</p> <p>14 in -- in -- in any -- in any correspondence between</p> <p>15 the consumer and TransUnion. That is why -- that is</p> <p>16 why human intervention in this is important, and</p> <p>17 we --</p> <p>18 Q. Do you know -- go ahead.</p> <p>19 A. -- we would have to look at the variety of</p> <p>20 the letters and the languages that were -- the</p> <p>21 languages that were -- that were, I'll say,</p> <p>22 affirmed -- because of the quality assurance --</p> <p>23 quality assurance that went on, that were affirmed,</p> <p>24 that went into those categories.</p>	<p style="text-align: right;">Page 123</p> <p>1 I understood what the processes were at TransUnion</p> <p>2 with respect to the correspondence between the</p> <p>3 consumers and -- and the company, and I said I didn't</p> <p>4 know what that -- what that process was, and so I --</p> <p>5 I simply can't answer your question.</p> <p>6 Q. Okay. So I think my question's a little</p> <p>7 bit different, just to be clear.</p> <p>8 You're not aware of what features in</p> <p>9 the letters caused TransUnion to send the class</p> <p>10 members a 502 letter; right?</p> <p>11 A. No, I'm not aware.</p> <p>12 Q. Okay. Okay. Okay. Let's go back. We</p> <p>13 were at the summary of your opinions, Section 1.4, we</p> <p>14 had left off at opinion two, I had asked you some</p> <p>15 questions about your statement about 43.7 percent of</p> <p>16 the letters do not complain directly about the</p> <p>17 accuracy of an inquiry on a consumer's TransUnion</p> <p>18 file.</p> <p>19 What data did you rely upon to</p> <p>20 conclude that figure?</p> <p>21 A. It should be the confluence of the union of</p> <p>22 the categories seven, eight, ten, 11 and 12.</p> <p>23 Q. Okay. And the reason I ask that question</p> <p>24 is because in your opinion, you mention several times</p>
<p style="text-align: right;">Page 122</p> <p>1 Q. Do you know why TransUnion considered the</p> <p>2 letters that you reviewed to be disputes of inquiries</p> <p>3 such that it sent a 502 letter?</p> <p>4 MR. O'NEIL: Excuse me, Dr.</p> <p>5 Lasater.</p> <p>6 Objection. Once again,</p> <p>7 misstates the record.</p> <p>8 THE WITNESS: Mr. Francis, you</p> <p>9 want to take me into -- into an arena</p> <p>10 of -- of dispute. My -- my direction was</p> <p>11 not with respect to the word "dispute,"</p> <p>12 my -- that was simply not my direction,</p> <p>13 and so I'm -- I'm -- I'm hesitant -- I'm</p> <p>14 hesitant to -- to try to answer your</p> <p>15 question because it's foreign to -- it's</p> <p>16 foreign to the objective of my work.</p> <p>17 BY MR. FRANCIS:</p> <p>18 Q. Okay. Let me ask it a little different,</p> <p>19 maybe I'll -- we'll bypass that concern of yours.</p> <p>20 Do you know what features of the</p> <p>21 letters from class members, including the ones that</p> <p>22 your team reviewed, that led TransUnion to send them</p> <p>23 a 502 letter?</p> <p>24 A. You asked me early on in this deposition if</p>	<p style="text-align: right;">Page 124</p> <p>1 about the question about a consumer complaining</p> <p>2 directly, but I don't see "complaining directly" in</p> <p>3 any of the letter categories, so for -- you were the</p> <p>4 one that supplied the analysis that 43.7 percent of</p> <p>5 the letters did not complain directly; correct?</p> <p>6 A. I am.</p> <p>7 Q. Okay. None -- and would you agree with me</p> <p>8 that none of the letter categories in Table 2 contain</p> <p>9 a category for whether or not a letter complained</p> <p>10 directly about the accuracy; correct?</p> <p>11 A. That is correct.</p> <p>12 Q. Okay. Now, prior to applying whatever</p> <p>13 analysis you applied, what was the definition of</p> <p>14 "directly" that you used in connection with Table 2</p> <p>15 to determine that 43.7 percent number?</p> <p>16 A. Whether or not a letter -- whether or not a</p> <p>17 letter had -- had been coded as seven, eight, ten, 11</p> <p>18 or 12. It is that simple.</p> <p>19 Q. And why -- why does "directly" apply only</p> <p>20 to those categories?</p> <p>21 A. It has to do with accuracy. We're talking</p> <p>22 about accuracy.</p> <p>23 Q. Okay.</p> <p>24 A. I could have -- I could have -- I could</p>

31 (Pages 121 to 124)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 125</p> <p>1 have omitted the word "directly" and accomplished</p> <p>2 the -- accomplished the same -- the same meaning.</p> <p>3 You -- you seem to be focused on the</p> <p>4 word "directly," and if we strike "directly" and read</p> <p>5 the sentences with respect to accuracy, we come to</p> <p>6 the same conclusion.</p> <p>7 I guess, in other words, I'm urging --</p> <p>8 I'm urging that "directly" is, perhaps, being given</p> <p>9 more meaning in the way you are trying to evaluate my</p> <p>10 decision process than I intended it.</p> <p>11 Q. Okay. And can you give me an example of a</p> <p>12 letter which would complain indirectly about the</p> <p>13 accuracy of an inquiry?</p> <p>14 A. Once again, you're -- you're -- you're</p> <p>15 putting an emphasis on "directly" and I'm suggesting</p> <p>16 that you can strike "directly" and accomplish exactly</p> <p>17 the same conclusion that I am describing with respect</p> <p>18 to complaining about the accuracy of the --</p> <p>19 complaining about the accuracy of their account,</p> <p>20 where they make a specific reference to an entry on</p> <p>21 the account within the categories of seven, eight,</p> <p>22 ten, 11 and 12.</p> <p>23 Q. Okay. All right. I've asked you about</p> <p>24 some of the facts or assumptions for opinion three.</p>	<p style="text-align: right;">Page 127</p> <p>1 be -- does the letter seem to be a unique -- a unique</p> <p>2 piece -- a unique piece of correspondence or is it a</p> <p>3 correspondence that follows a particular, specific</p> <p>4 pattern.</p> <p>5 Q. And what did you -- what criteria did you</p> <p>6 use or apply to determine whether or not a letter was</p> <p>7 a template?</p> <p>8 A. The process -- the process for that, Mr.</p> <p>9 Francis, is -- is -- is described in -- in detail</p> <p>10 within the report.</p> <p>11 Q. Okay. I'm asking you to -- if you recall</p> <p>12 it, if you don't recall it, we can look at it --</p> <p>13 A. Well --</p> <p>14 Q. -- if you can recall what the process was?</p> <p>15 A. -- I'm going to describe it generally, and</p> <p>16 if we want to go into the specifics, then we would</p> <p>17 also have to go into all of the -- all of the</p> <p>18 computer programming that was used --</p> <p>19 Q. Okay.</p> <p>20 A. -- to -- to implement two different</p> <p>21 software packages that are generally accepted within</p> <p>22 bibliographic search in -- in American litigation --</p> <p>23 Q. Okay. What record --</p> <p>24 A. -- and we can -- we can look -- we can look</p>
<p style="text-align: right;">Page 126</p> <p>1 Let's go to opinion four. You write</p> <p>2 that: On the basis of a systematic analysis of the</p> <p>3 439,618 letters, more than 45 percent of the letters</p> <p>4 reflect at least 16 different apparent templates used</p> <p>5 to shape the letters, period.</p> <p>6 Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Why the reference to templates?</p> <p>9 A. We want to put a label -- we want to put a</p> <p>10 label on letters that appear to be nearly identical.</p> <p>11 I had to choose a label and so I chose the word</p> <p>12 "template."</p> <p>13 Q. Okay. And what's the relevance of looking</p> <p>14 at -- what was the relevance for you, in terms of</p> <p>15 your opinions, as to the relevance of whether or not</p> <p>16 a letter appeared to have come from a template?</p> <p>17 A. The relevance is to simply advise -- advise</p> <p>18 counsel originally, advise the client and -- and</p> <p>19 report, for purposes of -- of this litigation matter,</p> <p>20 that many of the letters seemed to be different only</p> <p>21 in the name of the addressee and the identification</p> <p>22 of the creditor who is -- who is identified or</p> <p>23 creditors who are identified in the letter, that the</p> <p>24 question -- the question is, does the letter seem to</p>	<p style="text-align: right;">Page 128</p> <p>1 at Figure 3 as the -- as the description.</p> <p>2 Q. Okay. Fine. Okay.</p> <p>3 A. -- and so two --</p> <p>4 Q. Now --</p> <p>5 A. -- two different software packages were</p> <p>6 used --</p> <p>7 Q. Okay.</p> <p>8 A. -- and the process that -- the process that</p> <p>9 was activated within each of those softwares is -- is</p> <p>10 described graphically in Figure 3 and in text in the</p> <p>11 report in paragraphs surrounding Figure 3 and in</p> <p>12 detail in -- in attachments to the report.</p> <p>13 Q. Okay. To be clear, for the record, are you</p> <p>14 referring to the section of your report that begins</p> <p>15 with Section 3, at page 23, and ends at page 29,</p> <p>16 paragraph 63?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Okay. Great. Now, did you or anybody from</p> <p>19 the team make any determination or assessment as to</p> <p>20 which, if any, of the templates related to templates</p> <p>21 used by credit repair organizations?</p> <p>22 A. First of all, your question assumes that I</p> <p>23 would know if or whether templates are used at credit</p> <p>24 repair organizations. I don't know, and so I can't</p>

32 (Pages 125 to 128)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 129	Page 131
<p>1 answer your question.</p> <p>2 Q. Okay.</p> <p>3 A. What I --</p> <p>4 Q. You are --</p> <p>5 A. What I -- but what I can tell you is that</p> <p>6 we have -- we have discovered 16 varieties of near</p> <p>7 identical letters within the population of 400,000 or</p> <p>8 so letters. There are --</p> <p>9 Q. All right. And --</p> <p>10 A. There are more -- there are more, but we --</p> <p>11 but we stopped at -- we stopped at 16 because the --</p> <p>12 the number of identicals was starting to decline</p> <p>13 as -- as you can see.</p> <p>14 Q. Did you, in your analysis, make any attempt</p> <p>15 to determine whether the templates that you</p> <p>16 identified were templates that came from a credit</p> <p>17 repair organization versus a consumer using a</p> <p>18 template online to submit a dispute?</p> <p>19 A. No.</p> <p>20 Q. Okay. Am I correct that your analysis and</p> <p>21 report does not distinguish between those two type of</p> <p>22 templates; correct?</p> <p>23 A. Assuming that -- assuming that credit</p> <p>24 repair shops use templates, the answer is no.</p>	<p>1 A. Yes, I acknowledge that in the report.</p> <p>2 Q. All right. If -- now, let's turn to the</p> <p>3 top of page 6, we're still at opinion four. You</p> <p>4 state: This observation creates uncertainty that the</p> <p>5 complaints, assertions, demands -- excuse me, the</p> <p>6 complaints, assertions, questions or demands in the</p> <p>7 letters reflect bona fide points of view or</p> <p>8 perspectives of the consumers whose names are</p> <p>9 associated with the letters.</p> <p>10 Do you see that?</p> <p>11 A. Yes, sir.</p> <p>12 Q. What do you mean by bona fide in that</p> <p>13 sentence?</p> <p>14 A. Original, valid, self-determined.</p> <p>15 Q. And what do you mean that the observation</p> <p>16 creates uncertainty that the complaints, assertions,</p> <p>17 questions or demands were not valid?</p> <p>18 What do you mean by valid?</p> <p>19 A. Valid as the Court would define it, valid</p> <p>20 as that term might be used in -- in using this</p> <p>21 information in this -- in this litigation matter.</p> <p>22 Q. What do you mean?</p> <p>23 How would the Court, in your</p> <p>24 understanding, define valid?</p>
Page 130	Page 132
<p>1 Q. Okay. So if credit repair organizations</p> <p>2 use certain templates and there are also templates</p> <p>3 that exist on the Internet that consumers can use to</p> <p>4 make disputes, does your analysis in any way</p> <p>5 distinguish between those two types of templates or</p> <p>6 those types of templates?</p> <p>7 A. This particular section of the -- this</p> <p>8 particular section of the report does not make any</p> <p>9 attempt to distinguish between this -- distinguish or</p> <p>10 identify the source of the templates.</p> <p>11 Q. Okay. Is there a portion of this report</p> <p>12 which does?</p> <p>13 A. No, there's -- there is a portion of the</p> <p>14 report that addresses the -- the question, and one</p> <p>15 would have to -- one would have begin to do a</p> <p>16 confluence of -- of distant -- distant sends and</p> <p>17 templates in order to begin to do that from a</p> <p>18 quantitative analysis perspective.</p> <p>19 Q. Okay. So would you agree with me that the</p> <p>20 portions of your opinion which relate to the</p> <p>21 percentage of letters which you deemed to be</p> <p>22 templates would include templates that consumers</p> <p>23 could obtain online by themselves if such -- if such</p> <p>24 things existed?</p>	<p>1 A. Once again, whether or not -- whether or</p> <p>2 not a consumer is part of the class is a -- is a</p> <p>3 legal determination.</p> <p>4 All I am saying is if the letter is --</p> <p>5 is sent distant and seems to be from a template, that</p> <p>6 creates uncertainty as to whether or not that letter</p> <p>7 is -- is -- is an authentic, original,</p> <p>8 self-determined assertion, question, demand by the --</p> <p>9 by the consumer themselves.</p> <p>10 Q. And what do you mean by self-determined?</p> <p>11 A. Original.</p> <p>12 Q. So when you say original, you mean it comes</p> <p>13 from the consumer, the consumer -- or that the</p> <p>14 consumer wrote it specifically?</p> <p>15 A. Well, one can hire an agent. The question</p> <p>16 is whether or not the agent took direction from the</p> <p>17 consumer. If the agent --</p> <p>18 Q. How about if the --</p> <p>19 A. If the -- if the agent takes direction from</p> <p>20 the consumer, then I would say that the consumer is</p> <p>21 the originator of the idea that is reflected in the</p> <p>22 letter.</p> <p>23 If, on the other hand, the consumer</p> <p>24 just turns over a credit report to -- to an agent and</p>

33 (Pages 129 to 132)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 133</p> <p>1 the agent conceives of a -- of a basis for creating a</p> <p>2 correspondence with TransUnion, I would describe that</p> <p>3 as originating from the -- the agent and not from the</p> <p>4 consumer.</p> <p>5 Q. What about if the consumer asks someone,</p> <p>6 please draft a letter for me, then the consumer sends</p> <p>7 it, would that be an original and valid dispute for</p> <p>8 you?</p> <p>9 A. There is -- now you're -- now you're</p> <p>10 getting into -- now you're getting into the law of</p> <p>11 agency, and all I'm saying is that this -- this</p> <p>12 observation of distance and templates creates</p> <p>13 uncertainty that has to be resolved on a</p> <p>14 letter-by-letter basis within this -- within this</p> <p>15 file of 400,000 letters.</p> <p>16 Q. And that's because, in your view, you can't</p> <p>17 write a program to look for search terms; right?</p> <p>18 A. One can write a program to look for search</p> <p>19 terms, but one cannot make -- make a definitive</p> <p>20 determination of a letter ex-ante without looking at</p> <p>21 the -- the complete letter.</p> <p>22 Q. Why not?</p> <p>23 A. Because the English language is complex and</p> <p>24 meaning is complex, and here we have -- here we</p>	<p style="text-align: right;">Page 135</p> <p>1 uncertainty about -- about the bona fide points of</p> <p>2 view.</p> <p>3 Even -- even in the -- even in the</p> <p>4 handling of -- of highly sophisticated and very</p> <p>5 expensive software that -- that has as its -- as its</p> <p>6 objective the ability to -- to sift and sort the</p> <p>7 English language, it still has to be evaluated on a</p> <p>8 letter-by-letter basis to discern the meaning --</p> <p>9 discern the meaning that is intended or that -- that</p> <p>10 at least objectively is evaluated in that letter.</p> <p>11 We can't --</p> <p>12 Q. Are you saying you need a human being to</p> <p>13 read the letter in order to render a decision as to</p> <p>14 what the letter -- what words are stated in the</p> <p>15 letter?</p> <p>16 A. As -- as pertains -- as pertains to the way</p> <p>17 the letter would be applied, the letter would need to</p> <p>18 be included as evidence of a consumer's communication</p> <p>19 in this -- in this litigation matter.</p> <p>20 Q. So it's your view that you would need a</p> <p>21 human being's interpretation or judgment in looking</p> <p>22 at the letter to make a determination what it was</p> <p>23 saying or what category it was in.</p> <p>24 A. Definitely? Yes.</p>
<p style="text-align: right;">Page 134</p> <p>1 have -- also, we're adding -- we're adding players to</p> <p>2 the use of the language as that -- as that language</p> <p>3 might be developed in or around enforcement of a --</p> <p>4 of a regulation.</p> <p>5 Q. Do you think a query could be designed that</p> <p>6 would look for the sentence, I write to dispute an</p> <p>7 inquiry on my TransUnion credit report?</p> <p>8 Do you think you could search</p> <p>9 400-and-some-thousand letters for that sentence?</p> <p>10 A. For that exact sentence? Of course.</p> <p>11 Q. Okay. And do you agree with me that within</p> <p>12 the 400,000 letters that you were tasked with</p> <p>13 providing an analysis of, you could write one or many</p> <p>14 queries -- word searches and queries of those letters</p> <p>15 and search them?</p> <p>16 A. Well, when you say many, we have to have an</p> <p>17 objective, and the question is, within -- within the</p> <p>18 malleability of the English language, can -- can we</p> <p>19 assign yet, within current computer technology, an</p> <p>20 ability to interpret meaning by -- by meaning --</p> <p>21 by -- by program language, and the answer is, if we</p> <p>22 were able to do that, we would have done that through</p> <p>23 these single -- these single softwares, but, in fact,</p> <p>24 the best we can do is say that it just creates</p>	<p style="text-align: right;">Page 136</p> <p>1 Q. Okay. And would you also agree that --</p> <p>2 that human intervention could introduce human error</p> <p>3 and human judgment?</p> <p>4 A. That is where -- that is where the -- the</p> <p>5 role of the dictionary and the use of -- the use of</p> <p>6 words within a culture become important.</p> <p>7 Q. The use of words within a culture, what do</p> <p>8 you mean by within a culture?</p> <p>9 A. Within -- within -- within ordinary --</p> <p>10 ordinary use as a -- as a dictionary that would be</p> <p>11 used in the United States would understand it.</p> <p>12 Q. Do you consider yourself an expert in</p> <p>13 semiotics?</p> <p>14 MR. O'NEIL: Objection, vague.</p> <p>15 THE WITNESS: I think you asked</p> <p>16 me -- you didn't ask me that specific</p> <p>17 question, but you asked me about</p> <p>18 linguistics, and the answer is no.</p> <p>19 BY MR. FRANCIS:</p> <p>20 Q. All right. But you would agree with me</p> <p>21 that if what we wanted to see was whether there were</p> <p>22 certain words or sentences in these letters, it could</p> <p>23 be done electronically through a search query, you</p> <p>24 agree with that; right?</p>

34 (Pages 133 to 136)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 137	Page 139
<p>1 A. Ask -- again, ask the question again, 2 because it sounds to me like it's misstating what I 3 said. 4 Q. Okay. Well, then, let's get it clear. 5 Would you agree with me that you could 6 design a search query that looked for whether a 7 letter contained certain words or certain sentences 8 and run that against the -- the class letters? 9 A. You asked me that earlier on and I said 10 yes -- 11 Q. Okay. 12 A. -- but what it doesn't -- but what it -- 13 but what it doesn't do is -- is address the question 14 specifically unless the computer is programmed to 15 interpret the -- the language as the Court would 16 require it or as the jury would require it to be 17 interpreted. 18 Q. Well, are you saying that a human being 19 interpreting the letter would be how the jury 20 interprets the letter? 21 A. What I'm saying is independent lawyers 22 reading these letters have categorized them and put 23 features on them. I offer that -- I offer that as -- 24 as evidence that there are multiple contexts for the</p>	<p>1 used in artificial intelligence and know that they 2 are fallible. 3 Q. Are you saying that you have expertise in 4 the capabilities and the current capacities of AI 5 technology? 6 A. No. What I'm saying is AI technology has 7 not gotten to a point where, as a lay observer and as 8 a professional user of decision rules in -- in 9 algorithms, that replace the -- the -- the human 10 interpretation of the English language with respect 11 to the kinds of things that are the subject of this 12 litigation, as I understand. 13 Q. You think that you are knowledgeable about 14 the full capacities and capabilities of AI technology 15 in terms of searching documents and words? 16 A. Well, so -- so the answer is, once again, 17 there is no artificial intelligence that is offered 18 to the legal community that processes responsiveness 19 of features of -- of any documents infallibly. 20 Q. How do you know? 21 Do you know what the market is out 22 there for artificial intelligence technology? 23 A. Again, we're talking -- we're -- Mr. 24 Francis, we're talking about -- we're talking about</p>
Page 138	Page 140
<p>1 complaints, assertions, questions and demands in 2 these letters. 3 Q. When you say multiple contexts, do you mean 4 the other sentences or do you mean other complaints 5 or something different? 6 A. Once again, we talked about context at the 7 beginning of this -- of this deposition; the 8 situation or the circumstances in which the -- in 9 which the communications are being written. 10 If we had -- if we had sufficient 11 automated intelligence to discern all of this meaning 12 that -- that you are asking me about within a 13 computer, none of us would be on this call. 14 Q. I don't know what that means, but let me 15 ask you a follow-up question. 16 Do you consider yourself an expert or 17 having expertise in automated intelligence, or AI? 18 A. To the extent -- the -- the answer is, to 19 the extent that decision rules are -- are developed 20 so that inputs can be processed and developed into 21 subsequent inputs statistically speaking, then -- 22 then there is an element -- the statistical element 23 of that is something that I can address. I'm aware 24 of -- of recursive -- recursive algorithms that are</p>	<p>1 using bibliographic -- bibliographic data as -- as we 2 have it here in the correspondence between these 3 consumers and TransUnion, and what has gone on in the 4 legal community with respect to trying to process the 5 huge volumes of it, that began with the -- that began 6 with Judge Peck's decision in the Southern District 7 and are part of the Sedona Conference protocols that 8 have developed across the last 15 years, some of 9 which I was a part. 10 Q. All right. Going down further, Section 11 1.6, proportions and sampling, page 6, there is an 12 indented paragraph, which is not consistent with the 13 indent under that, but that begins: We frequently 14 collect data on categorical variables, such as 15 whether or not a person is employed, the brand name 16 of a cell phone or the country where a college 17 student studies abroad. When we record categorical 18 variables, our data consists of counts or percent 19 obtained from counts, period. 20 Do you see that? 21 A. Yes. 22 Q. Is that something excerpted from another 23 place, or why is it indented there? 24 Is this a quotation from somewhere</p>

35 (Pages 137 to 140)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 141	Page 143
<p>1 else?</p> <p>2 A. It should be a quote directly from Moore,</p> <p>3 McCabe & Craig --</p> <p>4 Q. Okay.</p> <p>5 A. -- which is -- which is cited as footnote</p> <p>6 1.</p> <p>7 Q. All right. Going to page 7, paragraph 17,</p> <p>8 you write that: When the goal is to discover the</p> <p>9 proportion or rate of occurrence of a characteristic</p> <p>10 in the population, a small random sample of the</p> <p>11 population is generally accepted when the proportion</p> <p>12 or rate is assumed to be uniformly distributed</p> <p>13 throughout the population, period.</p> <p>14 Do you see that?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Okay. And would you agree with me that a</p> <p>17 small random sample is not necessarily generally</p> <p>18 accepted when the proportion rate is not uniformly</p> <p>19 distributed throughout the population?</p> <p>20 Do you agree with that premise?</p> <p>21 A. Not necessarily. At that point -- at that</p> <p>22 point, would -- the population can be -- can be</p> <p>23 stratified, so that that which is not -- that rate</p> <p>24 which is discoverable -- discoverable different</p>	<p>1 A. Yes.</p> <p>2 Q. What do you mean by binary characteristic?</p> <p>3 A. Binary is one or zero.</p> <p>4 Q. Okay. All right. And is it your testimony</p> <p>5 that you used the type of binomial sampling in this</p> <p>6 case for the letters -- the sample of letters that</p> <p>7 you looked at in accordance with paragraph 19?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Let's turn to paragraph -- well,</p> <p>10 strike -- strike -- let's -- let's go to page 8.</p> <p>11 MR. O'NEIL: Mr. Francis --</p> <p>12 MR. FRANCIS: Yes.</p> <p>13 MR. O'NEIL: -- we've been</p> <p>14 going for about an hour. Do you mind if</p> <p>15 we just take a quick break, like a couple</p> <p>16 minutes.</p> <p>17 MR. FRANCIS: Sure. How about</p> <p>18 five, five, seven, whatever you want.</p> <p>19 MR. O'NEIL: Thank you.</p> <p>20 Off the record.</p> <p>21 THE VIDEOGRAPHER: Off the</p> <p>22 video record, 2:42 p.m.</p> <p>23 (Brief recess.)</p> <p>24 THE VIDEOGRAPHER: Back on the</p>
Page 142	Page 144
<p>1 within the -- within the strata can be combined with</p> <p>2 the -- with the -- with the rate of a different</p> <p>3 strata and you can still get a very small -- you can</p> <p>4 still get a very small sample.</p> <p>5 Q. Not within the same five percent --</p> <p>6 A. You have -- you have -- you have to</p> <p>7 stratify it.</p> <p>8 Q. But it's not within the same five percent</p> <p>9 margin of error; right?</p> <p>10 A. Oh, yes, you certainly can.</p> <p>11 Q. Even if it's not uniformly distributed?</p> <p>12 A. That's correct, as long as you have -- as</p> <p>13 long as the strata are uniformly -- as long as the</p> <p>14 rate within the strata is uniformly distributed.</p> <p>15 Q. Okay.</p> <p>16 A. And then you speak to an average rate</p> <p>17 across the population as -- as a -- as an average or</p> <p>18 a weighted average of the results from the strata.</p> <p>19 Q. Okay. Paragraph 19, you write: Similarly,</p> <p>20 if the rate of a binary characteristic of a letter is</p> <p>21 uniformly distributed throughout the population of</p> <p>22 letters in this matter -- excuse me -- we can use</p> <p>23 binomial sampling to discover the rate, period.</p> <p>24 Do you see that?</p>	<p>1 record, 2:49 p.m.</p> <p>2 BY MR. FRANCIS:</p> <p>3 Q. Dr. Lasater, picking up from where we were</p> <p>4 in your report, page 8, there's a heading in bold</p> <p>5 which reads: Analysis of the letter population. Do</p> <p>6 the letters reflect more than one context for their</p> <p>7 complaints, assertions, questions and -- or demands.</p> <p>8 Do you see that?</p> <p>9 A. Yes, sir.</p> <p>10 Q. Why would it be relevant whether the</p> <p>11 letters had one or more context?</p> <p>12 A. I was asked to evaluate that.</p> <p>13 Q. Okay. And would -- if a letter contained a</p> <p>14 dispute of an inquiry, but also disputed other items</p> <p>15 and other creditor accounts, would that be a letter</p> <p>16 that reflected more than one context, according to</p> <p>17 your view?</p> <p>18 A. Please ask -- please ask the question again</p> <p>19 or ask the court reporter to read it back, please.</p> <p>20 Q. Sure. If a letter contained a dispute of</p> <p>21 an inquiry and, also, a dispute of other accounts or</p> <p>22 tradelines and/or other inquiries, would that fall</p> <p>23 within the definition of more than one context,</p> <p>24 according to your view?</p>

36 (Pages 141 to 144)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 145</p> <p>1 A. I don't understand the second -- the second</p> <p>2 part of your question.</p> <p>3 Q. If somebody was -- if the consumer was</p> <p>4 disputing multiple things, some inquiries, some</p> <p>5 tradelines, some accounts, the consumer was disputing</p> <p>6 multiple things, would that be multiple contexts?</p> <p>7 A. Once again, I don't understand your word</p> <p>8 "tradeline."</p> <p>9 Q. Okay. Do you understand that on a credit</p> <p>10 report, in addition to inquiries, a consumer can have</p> <p>11 tradelines or accounts?</p> <p>12 MR. O'NEIL: Objection.</p> <p>13 Objection. Obviously, vague as to the</p> <p>14 term "tradelines."</p> <p>15 THE WITNESS: I do not</p> <p>16 understand the word "tradeline," Mr.</p> <p>17 Francis.</p> <p>18 BY MR. FRANCIS:</p> <p>19 Q. Okay. That's okay.</p> <p>20 Have you ever seen a credit report?</p> <p>21 A. I have.</p> <p>22 Q. Okay. And do you understand that credit</p> <p>23 reports often contain accounts that that consumer</p> <p>24 has?</p>	<p style="text-align: right;">Page 147</p> <p>1 My question is, is if a consumer were</p> <p>2 disputing multiple items, would that satisfy your</p> <p>3 view of more than one context?</p> <p>4 MR. O'NEIL: Objection,</p> <p>5 incomplete hypothetical.</p> <p>6 THE WITNESS: I think the --</p> <p>7 the context or the situation or the</p> <p>8 circumstance has to do with the nature of</p> <p>9 the -- the question, the complaint, the</p> <p>10 demand that the consumer is making. That</p> <p>11 is what I mean by -- that is what I mean</p> <p>12 by context.</p> <p>13 The situation that the consumer</p> <p>14 finds themselves in with respect to one or</p> <p>15 more entries can -- can have multiple</p> <p>16 features, and that is one of the benefits</p> <p>17 of the individual letter-by-letter</p> <p>18 analysis and the list of features and</p> <p>19 characteristics that -- that this</p> <p>20 analysis intends to identify.</p> <p>21 BY MR. FRANCIS:</p> <p>22 Q. Are you telling me that you can't tell from</p> <p>23 my question if a consumer disputed more than one</p> <p>24 inquiry, you don't know whether that would be an --</p>
<p style="text-align: right;">Page 146</p> <p>1 A. Where there are -- there have been</p> <p>2 inquiries -- inquiries of creditors that are</p> <p>3 reflected on that account, as well as -- as well as</p> <p>4 the continuing existence of, I guess, of a creditor</p> <p>5 of that consumer, that is what I understand and</p> <p>6 remember from the -- the image of the accounts that</p> <p>7 I've seen.</p> <p>8 Q. Okay. And the accounts that you've seen,</p> <p>9 weren't there times where a person is -- was</p> <p>10 disputing multiple items on their report, not just</p> <p>11 one inquiry?</p> <p>12 A. If you're asking disputing more than one</p> <p>13 inquiry, I understand that question.</p> <p>14 Q. Okay. Would that be a situation that</p> <p>15 involved multiple contexts, according to your view?</p> <p>16 A. It depends on what the nature of the -- the</p> <p>17 nature of the question that they're asking, the</p> <p>18 demand that they're making, the assertion that</p> <p>19 they're making with respect to one or a group of --</p> <p>20 of items.</p> <p>21 That would -- would this</p> <p>22 methodology -- would this methodology be flexible</p> <p>23 enough to observe that? And the answer is yes.</p> <p>24 Q. Not quite my question.</p>	<p style="text-align: right;">Page 148</p> <p>1 an example of more than one context?</p> <p>2 A. I did not think of it in those terms, Mr.</p> <p>3 Francis.</p> <p>4 Q. Can you give me an example of a letter</p> <p>5 which would present more than one context?</p> <p>6 A. We have -- we have many, many, many, many</p> <p>7 contexts, that is with respect to the categories that</p> <p>8 are identified, and so if you were to look in the</p> <p>9 report on I believe it's Annex 5.4 --</p> <p>10 Q. Okay. I'm there.</p> <p>11 A. -- you can -- you can see the summary of</p> <p>12 coding and the frequencies of combinations of -- of</p> <p>13 questions, assertions, demands by category and -- and</p> <p>14 the -- and the differences run for multiple pages,</p> <p>15 and so each of those could be characterized as a</p> <p>16 context for the communication between the consumer</p> <p>17 and TransUnion in the way that this analysis was</p> <p>18 performed.</p> <p>19 Q. Okay. To be clear, we're looking at 5.4,</p> <p>20 heading, Category Combinations; correct?</p> <p>21 A. Yes, sir.</p> <p>22 Q. Page 39 of your report; correct?</p> <p>23 A. Yes, sir.</p> <p>24 Q. All right. And the first column is</p>

37 (Pages 145 to 148)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 149</p> <p>1 Category Combinations; correct?</p> <p>2 A. Yes.</p> <p>3 Q. And am I correct that the numbers under</p> <p>4 that -- in that column are numbers that pertain to</p> <p>5 the various buckets that you've testified about</p> <p>6 today?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Okay. Is it your testimony that when we</p> <p>9 see multiple buckets, that would be a situation of</p> <p>10 more than one context?</p> <p>11 A. That would be a set; that is, where we</p> <p>12 had -- where we had multiple features from a -- from</p> <p>13 a quantitative analysis perspective, each of those</p> <p>14 combinations becomes a context or a situation for</p> <p>15 those particular -- those -- those particular</p> <p>16 consumers, and you can see the frequency of those</p> <p>17 combinations across the -- across the two samples.</p> <p>18 Q. Okay. Gotcha. Now, going back to your</p> <p>19 sampling, I was asking you earlier about the small</p> <p>20 sample size using the binomial sampling that you</p> <p>21 mentioned before.</p> <p>22 At paragraph 21, Figure 1 and at</p> <p>23 paragraph 25, Figure 2, you identify letters and</p> <p>24 documents by certain time periods; correct?</p>	<p style="text-align: right;">Page 151</p> <p>1 A. Two -- two sets of -- two sets of 400,</p> <p>2 totaling 800, yes, sir.</p> <p>3 Q. Okay. Now, were they taken from the</p> <p>4 chronological segments in Figure 2 or the month</p> <p>5 segments in Figure 1?</p> <p>6 A. They would have been taken from the</p> <p>7 chronological segments in Figure 2.</p> <p>8 Q. Okay. So let's look at -- let's look at</p> <p>9 Figure No. 2.</p> <p>10 What time period does each</p> <p>11 chronological segment pertain to? How long is it?</p> <p>12 A. I don't -- I don't recall the -- the</p> <p>13 specific start and end dates. I would have to go</p> <p>14 back to -- and it may be in the -- in the data that</p> <p>15 we have provided.</p> <p>16 Q. Okay. And then, do I understand correctly</p> <p>17 that what you did is you pulled 25 letters from each</p> <p>18 of the chronological segments?</p> <p>19 A. That is correct.</p> <p>20 Q. Okay. Now, do you know whether or not the</p> <p>21 letters that TransUnion received that are at issue in</p> <p>22 this class were uniformly distributed evenly across</p> <p>23 all the segments?</p> <p>24 MR. O'NEIL: Objection, vague.</p>
<p style="text-align: right;">Page 150</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And in paragraph -- in Figure 1, you</p> <p>3 break down the letters -- number of letters for each</p> <p>4 month for the year reflected there; correct?</p> <p>5 A. Yes, with the -- with the exception, I</p> <p>6 think of the front and the back end, where we</p> <p>7 combine, I think, January, February and -- and</p> <p>8 October, if memory serves.</p> <p>9 Q. Okay. And then in Figure 2, you break down</p> <p>10 the documents in the class period into different time</p> <p>11 periods or chronological segments; is that right?</p> <p>12 A. Yes, sir.</p> <p>13 Q. So my first question is, why in Figure 1</p> <p>14 are you using months, Figure 2 you're using these</p> <p>15 other time periods?</p> <p>16 A. Well, the -- well, let's look at January --</p> <p>17 let's look at 20 -- 2018. I think we have -- we</p> <p>18 have 30 -- we have 34 months, and I think we combined</p> <p>19 the 34 months into -- into 16 -- into 16</p> <p>20 chronological segments for -- for the benefit of --</p> <p>21 of dealing with fewer -- fewer chronological segments</p> <p>22 from which we would take a meaningful random sample.</p> <p>23 Q. Okay. So did the -- the random sample that</p> <p>24 you took, again, this is the 800 letters; right?</p>	<p style="text-align: right;">Page 152</p> <p>1 THE WITNESS: For purposes of</p> <p>2 doing sampling, uniform -- a uniform rate</p> <p>3 or a homogeneous rate across strata was</p> <p>4 assumed for purposes of developing the</p> <p>5 sampling.</p> <p>6 BY MR. FRANCIS:</p> <p>7 Q. Correct, so -- so that was going to be my</p> <p>8 next question.</p> <p>9 You assumed a uniform distribution</p> <p>10 over the 16 chronological segments; correct?</p> <p>11 A. No, sir. The uniform -- there is no --</p> <p>12 there is no necessary requirement of a uniform</p> <p>13 distribution, there is an assumption about a</p> <p>14 homogeneous rate of a characteristic across the</p> <p>15 population, across these chronological segments.</p> <p>16 Q. Okay. Fine.</p> <p>17 A. And the --</p> <p>18 Q. Well --</p> <p>19 A. -- and the -- the sample design -- and the</p> <p>20 sample design follows from that.</p> <p>21 Q. You assume, then, a uniform homogenous rate</p> <p>22 across the various 16 segments; correct?</p> <p>23 A. For -- for each and every characteristic</p> <p>24 which could have a different rate across the</p>

38 (Pages 149 to 152)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 153	Page 155
<p>1 population.</p> <p>2 Q. So did your -- did your model and -- and</p> <p>3 sample -- sampling take into account that there might</p> <p>4 have been different distributions of the types of</p> <p>5 characteristics at different chronological segments?</p> <p>6 A. The -- the going-in assumption was that</p> <p>7 that would be discoverable in the course of the</p> <p>8 analysis, and -- and the expectation was not</p> <p>9 disproved, as I report in the histograms in my</p> <p>10 supplemental report.</p> <p>11 Q. What did you do specifically to test</p> <p>12 whether or not the characteristics were homogeneously</p> <p>13 distributed across the 16 different chronological</p> <p>14 segments?</p> <p>15 A. I think we looked at the -- I think we</p> <p>16 looked at the -- the hit rates within the -- within</p> <p>17 the categories.</p> <p>18 Q. Okay. And what part of the report is that?</p> <p>19 A. That would be reflected in the supplemental</p> <p>20 report.</p> <p>21 Q. Which supplemental report, the first one or</p> <p>22 the one that just came in yesterday?</p> <p>23 A. The one that came in yesterday.</p> <p>24 Q. All right. Turning your attention to page</p>	<p>1 letters, 20 were randomly selected, and if memory</p> <p>2 serves, we used a random number generator to do it,</p> <p>3 and those 20 were read by Ms. Harrington and then by</p> <p>4 me with Ms. Harrington and then a discussion with</p> <p>5 the -- follow-up with counsel with respect to the</p> <p>6 reading that we -- that we did with respect to those</p> <p>7 letters.</p> <p>8 So we did independent reading and then</p> <p>9 I had a discussion with counsel about the -- about</p> <p>10 the variety of contexts or situations or</p> <p>11 circumstances that we were seeing in the letters as</p> <p>12 those -- as those communications were between the</p> <p>13 consumers and TransUnion, and that discussion</p> <p>14 probably lasted 90 minutes.</p> <p>15 Q. Okay. Are you saying that you sat there</p> <p>16 with Mr. O'Neil and Mr. Hartmann and looked through</p> <p>17 these letters or you guys had read the letters</p> <p>18 separately, got together and talked about it for 90</p> <p>19 minutes or something different?</p> <p>20 A. The -- the latter. Not -- not something</p> <p>21 different, the latter, in that Ms. Harrington and I</p> <p>22 read the letters independently --</p> <p>23 Q. Right.</p> <p>24 A. -- and then we had a conversation with</p>
Page 154	Page 156
<p>1 12, paragraph 21, you write: A preliminary reading</p> <p>2 with counsel of the letters from approximately 20 of</p> <p>3 the randomly selected documents initially disproves</p> <p>4 the hypothesis that there was a single category of</p> <p>5 complaint, assertion, question or demand</p> <p>6 characteristic of the letters across the population.</p> <p>7 Do you see that?</p> <p>8 A. Yes, sir.</p> <p>9 You're reading in -- you're reading in</p> <p>10 paragraph 21?</p> <p>11 Q. Twenty-seven.</p> <p>12 A. I'm sorry. Yes, sir.</p> <p>13 Q. Okay. Who is the counsel that is</p> <p>14 identified there in paragraph 27?</p> <p>15 A. Mr. O'Neil and Mr. Hartmann.</p> <p>16 Q. And when was that reading done with them?</p> <p>17 A. In June of 2021.</p> <p>18 Q. And how long was that reading that you did</p> <p>19 with them?</p> <p>20 A. Well, when I say reading with counsel, let</p> <p>21 me expand -- let me expand the process that was</p> <p>22 performed.</p> <p>23 Q. Sure.</p> <p>24 A. Within the -- within the population of</p>	<p>1 counsel about those with the letters being presented</p> <p>2 on the screen and -- and -- and having a discussion</p> <p>3 about them.</p> <p>4 Q. Okay. The reference to the hypothesis that</p> <p>5 there was a single category of complaint, where did</p> <p>6 that hypothesis come from?</p> <p>7 Who hypothesized that, that these</p> <p>8 letters had a single complaint?</p> <p>9 A. I think that was -- that was part of the</p> <p>10 original question to me, do these reflect more than</p> <p>11 one context.</p> <p>12 Q. Okay. That's what you're referring to.</p> <p>13 Okay.</p> <p>14 Okay. And then further -- paragraph</p> <p>15 28, you provide more detail regarding this reading</p> <p>16 with counsel. Halfway down you state that: Based on</p> <p>17 the actual testing of the target samples described</p> <p>18 below, 93.5 percent of the letters eventually</p> <p>19 evaluated to the two waves of sampling were</p> <p>20 attributed with one or more of the 15 substantive</p> <p>21 categories from the pilot, period. See Table 6 here</p> <p>22 in, footnote 9, period.</p> <p>23 Do you see that?</p> <p>24 A. Yes, sir.</p>

39 (Pages 153 to 156)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 157	Page 159
<p>1 Q. Okay. And, again, all of that's with you, 2 Mr. O'Neil and Hartmann?</p> <p>3 A. When you say all of that, what do you mean?</p> <p>4 Q. Well, you talked about this reading in 5 paragraph 27. I'm asking whether this further 6 analysis of the 93.5 percent, the 15 substantive 7 categories, is this all still part of that reading 8 with Mr. O'Neil and Mr. Hartmann?</p> <p>9 A. No, sir, that would be a -- it would be a 10 misunderstanding and -- and a -- and a faulty 11 development of the report by me. I should have 12 opened up a new paragraph that would have begun with 13 "based on."</p> <p>14 Q. I see. Okay. So the involvement of Mr. 15 O'Neil and Mr. Hartmann end at halfway through 16 paragraph 28, three geographical categories; is that 17 right?</p> <p>18 A. That would be correct.</p> <p>19 Q. Okay. And the independent readers that 20 you're referencing there, who are the independent 21 readers that are being referred to there?</p> <p>22 A. These are employees -- they were employed 23 by or contracted by Logility.</p> <p>24 Q. Okay. And they were -- Logility was paid</p>	<p>1 A. I didn't say that I couldn't do that, I 2 said that it would -- it would be different -- it 3 would -- it would -- it would -- it would not be fair 4 for my judgment, with respect to -- with respect to 5 this, to be the full and complete reading (sic) of 6 that letter.</p> <p>7 Q. So are you saying that the opinions you're 8 rendering here are -- you're just relying on what was 9 done by the -- the reviewers --</p> <p>10 A. It is --</p> <p>11 Q. -- you're not endorsing that review?</p> <p>12 A. It is -- it is a result of the process and 13 I'm endorsing it as a matter of process.</p> <p>14 Q. But you couldn't represent yourself --</p> <p>15 A. It doesn't -- it doesn't -- they don't 16 stand -- they don't stand in my shoes with respect to 17 that. I am reporting the result of a process. I 18 could read the letters and categorize them just as 19 easily as you could with the -- with the manual in 20 front of us.</p> <p>21 Q. Okay. Now, moving along, paragraph 31, 22 page 13, you write: We've developed a training 23 manual with exemplar letters to standardize the 24 reading and coding decisions process.</p>
Page 158	Page 160
<p>1 by TransUnion; correct?</p> <p>2 A. I -- I would assume so, yes, sir.</p> <p>3 Q. All right. Have you ever seen either of 4 the dispute letters from the representative 5 plaintiff, Mr. Norman, in this case?</p> <p>6 A. I don't think so, no, sir.</p> <p>7 Q. Okay. If I were to show you those two 8 letters and give you 20 minutes, half-hour to look at 9 them, would you be able to assign them to one of your 10 buckets?</p> <p>11 A. I could, but I'm not sure that my -- it's 12 not my determination that is important here, it's the 13 determination of the independent readers.</p> <p>14 I am not a -- I am not a -- I'm not a 15 quality control filter on this, but, rather, the 16 reporter of a process, and so in order for it to be 17 fair, it would have to go through -- it would have to 18 go through that process at Logility to make that 19 determination.</p> <p>20 Q. Oh, so you're saying if I gave you these 21 letters, you could not apply the criteria that you 22 set forth in your report and testified about today to 23 determine which buckets Mr. Norman's letters would 24 fall within?</p>	<p>1 Is that the training manual we looked 2 at before that's at paragraph -- that's Annex or 3 Exhibit 6.2?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Okay. And Exhibit 6.2 is the only training 6 manual that you're referring to there; right?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Okay. And would I be correct in stating 9 that within that training manual, like we looked at 10 for bucket seven, there's guidance and/or criteria 11 for each bucket?</p> <p>12 A. And exemplars.</p> <p>13 Q. And exemplars, okay.</p> <p>14 All right. Paragraph 32 you 15 reference: Each letter was read by two contract 16 lawyers and a quality assurance reader.</p> <p>17 What are the names of the two contract 18 lawyers?</p> <p>19 A. I have no idea.</p> <p>20 Q. And what was the name of the quality 21 assurance reader?</p> <p>22 A. I don't -- I don't know that I know.</p> <p>23 Q. Okay. Did you ever speak to the three of 24 them?</p>

40 (Pages 157 to 160)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC**DAVID B. LASATER, Ph.D., 5/5/22**

Page 161	Page 163
<p>1 A. I did not speak to the lawyers. I spoke to</p> <p>2 the quality assurance reader, but I don't have a</p> <p>3 recollection of that person's name.</p> <p>4 Q. Okay. Do you have a recollection of</p> <p>5 speaking to that person?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And on how many different occasions</p> <p>8 did you speak to him or her?</p> <p>9 A. It was -- it was a her and it was probably,</p> <p>10 through the course of this process, six to eight</p> <p>11 times.</p> <p>12 Q. You don't remember her name?</p> <p>13 A. I do not.</p> <p>14 Q. All right. Moving along, page 14, 2.4,</p> <p>15 paragraph 34, you write: The most essential result</p> <p>16 from the analysis of the initial sample of 413</p> <p>17 letters is that the letters do not reflect a</p> <p>18 monolithic, singular category of complaint,</p> <p>19 assertion, question or demand, period.</p> <p>20 Do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. All right. What is your definition of</p> <p>23 monolithic that you use there?</p> <p>24 A. Singular or unique, one. Any -- any number</p>	<p>1 MR. FRANCIS: Okay. All right.</p> <p>2 Off the video. Let's take a short break,</p> <p>3 say ten minutes.</p> <p>4 MR. O'NEIL: Off the -- Mr. --</p> <p>5 off the record.</p> <p>6 MR. FRANCIS: Yes.</p> <p>7 MR. O'NEIL: Mr. Francis --</p> <p>8 THE VIDEOGRAPHER: Off the</p> <p>9 video record, 3:19 p.m.</p> <p>10 (Brief recess.)</p> <p>11 THE VIDEOGRAPHER: Back on the</p> <p>12 video record, 3:36 p.m.</p> <p>13 BY MR. FRANCIS:</p> <p>14 Q. Dr. Lasater, I'm turning to Section A of</p> <p>15 6.2 of your report, which is the flow chart. Just a</p> <p>16 couple quick questions here. Let me know, sir, when</p> <p>17 you have the flow chart in front of you.</p> <p>18 A. I do.</p> <p>19 Q. Great. Okay. And would you tell me how</p> <p>20 this flow chart was used?</p> <p>21 What was the purpose of it?</p> <p>22 A. As initial -- as an initial description of</p> <p>23 the process that was going to be necessary, it was an</p> <p>24 introduction to the readers of the steps that would</p>
Page 162	Page 164
<p>1 of -- any number of synonyms for monolithic.</p> <p>2 Q. All right. Let's jump ahead to page 22 of</p> <p>3 your report. You write in paragraph 48: Based on</p> <p>4 direction from counsel, I understand that a</p> <p>5 consumer's communication with TransUnion must allege</p> <p>6 or identify some inaccuracy in the information</p> <p>7 maintained by TransUnion as a first step in</p> <p>8 triggering an investigation of the -- of the</p> <p>9 communication by TransUnion, period.</p> <p>10 Do you see that?</p> <p>11 A. Yes, sir.</p> <p>12 Q. All right. And have you ever actually seen</p> <p>13 the statutory language at issue here?</p> <p>14 MR. O'NEIL: Objection, vague.</p> <p>15 THE WITNESS: I may have. I</p> <p>16 don't recall. It would not -- it would</p> <p>17 not have been in the context -- or within</p> <p>18 the bounds of -- of this particular</p> <p>19 engagement, probably on my prior or</p> <p>20 existing engagements.</p> <p>21 BY MR. FRANCIS:</p> <p>22 Q. Okay. And have you ever seen the class</p> <p>23 certification decision in this case?</p> <p>24 A. I did, yes, sir.</p>	<p>1 be taken in terms of sequentially evaluating a letter</p> <p>2 for its potential different features.</p> <p>3 Q. Okay.</p> <p>4 A. The main -- the main impetus of this was</p> <p>5 that the -- the process would continue throughout the</p> <p>6 features, testing as -- testing as many of the</p> <p>7 categories as we had -- as we had indicated in the</p> <p>8 training manual.</p> <p>9 Q. Okay. And each of the various questions</p> <p>10 would yield a tag for a bucket depending upon whether</p> <p>11 the reviewer answered it yes or no; correct?</p> <p>12 A. That would be a mistake, in that the flow</p> <p>13 chart is intended to be the first guidance of -- of</p> <p>14 the process, and so each of these is intended to be a</p> <p>15 summary categorical description that would have to</p> <p>16 be -- would have to be fleshed out by reading --</p> <p>17 reading the letter in conjunction with the</p> <p>18 descriptions, the advisories and the examples that</p> <p>19 are in the training manual.</p> <p>20 Q. Got it. Okay. So one question that I have</p> <p>21 is, where did the initial questions come from?</p> <p>22 A. The initial questions arise from the -- the</p> <p>23 iterative categorical -- the iterative categorical</p> <p>24 development from the -- from the -- the two samples,</p>

41 (Pages 161 to 164)

SUMMIT COURT REPORTING, INC.**215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com**

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 165</p> <p>1 the 20 and then the 50, and then the -- the manual 2 was developed from that iterative process, and then 3 as part of the training, we wanted to advise the 4 readers and their -- their quality assurance 5 controller about the general process that was going 6 to be followed, and that is why the flow chart was 7 developed. 8 We did not want the reader to be 9 handed a training manual and not understand that -- 10 that the letters could have one or more features or 11 characteristics, and we wanted to reinforce that so 12 that the -- the questions are -- are or should be, in 13 effect, summaries of what -- what is reflected in 14 the -- in the descriptions of the -- of the so-called 15 buckets or the categories that are -- that I think 16 are described in -- in Table 2 of my report. 17 Q. Okay. So, then, do I understand that 18 correctly to mean that there was the initial 19 iterative review of the smaller sample, which -- 20 which led to the development of these questions, and 21 then these questions, along with the training manual, 22 were used by the reviewers to come up with the 23 numbers they came up with? 24 A. That is correct.</p>	<p style="text-align: right;">Page 167</p> <p>1 has to do with -- with a more granular -- a more 2 granular feature of the communication between the 3 consumer and TransUnion -- 4 Q. Okay. And so -- 5 A. -- and so -- and so those features -- 6 those -- as I had said -- as I had said earlier in 7 this deposition, there is not a -- there is not a 8 category that says dispute. 9 When -- when we talk about is the 10 consumer -- does a consumer have a -- have a question 11 or a comment about the accuracy of their -- of 12 their -- of their account, that is -- that is 13 captured in the -- the five categories that I had 14 described earlier, which are seven, eight, ten, 11 15 and 12. 16 Q. Okay. But none of the questions contain a 17 question -- query as to whether the consumer is 18 stating a dispute using the word "dispute"; correct? 19 A. I think -- I think the answer to that is 20 that is correct, and I understand that word to have a 21 lot of freighted meaning within the context of this 22 litigation. 23 Q. All right. Based upon your analysis and 24 your review of the data that you've testified about</p>
<p style="text-align: right;">Page 166</p> <p>1 Q. And what was that initial sample that was 2 used to develop these questions? Was that 20, 50, 3 200? What was that? 4 A. The first -- the first -- the first pilot 5 was 20, the second pilot was 50, and then, from that 6 point, we moved on with the -- the complete sample in 7 others' hands. 8 Q. So am I correct, then, based upon what 9 you've testified earlier, that the questions for 10 determining buckets were derived from the two pilots, 11 the 20 and the 50? 12 A. Correct. 13 Q. And that those pilots were developed with 14 counsel, Mr. O'Neil and Mr. Hartmann; correct? 15 A. Those -- those were developed by us and -- 16 and then discussed with Mr. O'Neil and Mr. Hartmann. 17 Q. Gotcha. Okay. 18 A. It's a very -- it's a very standard -- it's 19 a very standard development of bibliographic coding. 20 Q. Okay. Am I correct that there is no 21 question in the flow chart for "does the letter 22 contain a dispute of an inquiry"? 23 A. We've -- we've talked about that over and 24 over again, and the issue of -- the issue of dispute</p>	<p style="text-align: right;">Page 168</p> <p>1 today, do you have any opinion regarding how many of 2 the 800 sample -- letter samples that you reviewed 3 contained a dispute of an inquiry? 4 A. Once again, that's a -- whether or not it's 5 a dispute, it seems to me is a -- is a -- is a 6 determination for the Court. 7 What I have is features, features of 8 the letter that are -- are described or captured 9 in -- in Table 2. 10 MR. FRANCIS: All right. 11 Rayne, let's mark as Lasater-4, his 12 rebuttal report, and as 5, his 13 supplemental rebuttal report of 14 yesterday. 15 BY MR. FRANCIS: 16 Q. And all I'm going to ask you to do, Dr. 17 Lasater, is identify that Exhibits 4 and 5 are your 18 two rebuttal reports. 19 A. If we could see them, please. 20 Q. Yes. 21 A. Could we -- could we just scroll to the 22 last page? 23 I'm going to assume that the 24 individual pages are -- what is on the screen is</p>

42 (Pages 165 to 168)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 169	Page 171
<p>1 consistent with the -- with the last -- the last page</p> <p>2 of Exhibit 6, which is an attachment to the rebuttal</p> <p>3 report. That is --</p> <p>4 Q. Right. And just to be --</p> <p>5 A. That -- that -- that looks like my report.</p> <p>6 Q. And just to be clear for the record, you</p> <p>7 submitted a rebuttal expert report dated April 15th,</p> <p>8 2022 in this case; is that right?</p> <p>9 A. I did.</p> <p>10 Q. And you submitted a supplemental rebuttal</p> <p>11 expert report dated May 4th, 2022?</p> <p>12 A. Well, it should be dated May 3rd, unless --</p> <p>13 Q. May 3rd. Okay. May -- yep, May 3rd.</p> <p>14 A. Yes, sir.</p> <p>15 MR. FRANCIS: Okay. Dr.</p> <p>16 Lasater, thank you for your time, I have</p> <p>17 no further questions.</p> <p>18 THE WITNESS: Very well, Mr.</p> <p>19 Francis. Thank you.</p> <p>20 ---</p> <p>21 EXAMINATION</p> <p>22 ---</p> <p>23 BY MR. O'NEIL:</p> <p>24 Q. Dr. Lasater, if you don't mind, I have a</p>	<p>1 Q. And I'll ask the same series of questions</p> <p>2 for the rebuttal report that you finalized on April</p> <p>3 15, 2022.</p> <p>4 When you prepared that report, did you</p> <p>5 make every effort to accurately describe the opinions</p> <p>6 and the bases for your opinions in that rebuttal</p> <p>7 report?</p> <p>8 A. Yes, sir, and, again, based on -- based on</p> <p>9 what I had received up to that point at that -- and</p> <p>10 at that stage from Mr. Jaffe's original report, yes,</p> <p>11 sir.</p> <p>12 Q. And that's because although Mr. Jaffe filed</p> <p>13 a rebuttal report commenting on your opinions, you</p> <p>14 did not have Mr. Jaffe's rebuttal report in hand when</p> <p>15 you finalized your rebuttal report on April 15, 2022;</p> <p>16 correct?</p> <p>17 A. Well, no, I had his -- I had his -- I did</p> <p>18 not have his rebuttal report, I had his original</p> <p>19 report.</p> <p>20 Q. Right. And if called to testify under oath</p> <p>21 at trial in this case, would your testimony as to</p> <p>22 your opinions and the bases for those opinions in</p> <p>23 your rebuttal report, would that testimony at trial</p> <p>24 be consistent with the opinions and bases for your</p>
Page 170	Page 172
<p>1 few follow-up questions.</p> <p>2 A. Yes, sir.</p> <p>3 Q. As you know, Mr. Francis spent some time</p> <p>4 going over portions of your initial report that was</p> <p>5 submitted in March of this year; correct?</p> <p>6 A. Yes, sir.</p> <p>7 Q. But to be fair, he didn't show you or ask</p> <p>8 you questions about all of the content of that</p> <p>9 lengthy report; correct?</p> <p>10 A. No, he didn't.</p> <p>11 Q. When you prepared that report, did you make</p> <p>12 every effort to ensure that it accurately captured</p> <p>13 and reported on your opinions and the bases for those</p> <p>14 opinions?</p> <p>15 A. Yes, sir.</p> <p>16 Q. And if you were called to testify under</p> <p>17 oath at trial in this case, would your testimony be</p> <p>18 consistent with the opinions and the bases for your</p> <p>19 opinions and your methodology results that are</p> <p>20 contained in your March 2022 disclosure?</p> <p>21 A. Yes, sir.</p> <p>22 MR. FRANCIS: Objection,</p> <p>23 compound and leading.</p> <p>24 BY MR. O'NEIL:</p>	<p>1 opinions in your April 15, 2022 report?</p> <p>2 A. Yes, up -- up to the point of -- up to the</p> <p>3 point of the receipt, at that point, of the original</p> <p>4 report by Mr. Jaffe.</p> <p>5 Q. And then after you finalized your rebuttal</p> <p>6 report, you had an opportunity to review Mr. Jaffe's</p> <p>7 rebuttal report; correct?</p> <p>8 A. Correct.</p> <p>9 Q. And is it fair to say that you took issue</p> <p>10 with at least a couple of the points that Mr. Jaffe</p> <p>11 made with regard to your earlier opinions?</p> <p>12 A. I take issue with -- with, in particular,</p> <p>13 his -- his criticisms of the statistical methodology</p> <p>14 that is used, and I -- and I write reply opinions</p> <p>15 directly to the two most glaring ones from his</p> <p>16 rebuttal report.</p> <p>17 Q. And when you prepared your supplemental</p> <p>18 rebuttal report, did you make every effort to</p> <p>19 accurately describe the opinions and the bases for</p> <p>20 your opinions in that May 3rd supplemental report?</p> <p>21 A. Yes, sir, I did.</p> <p>22 Q. And if called to testify at trial in this</p> <p>23 case under oath, would your trial testimony be</p> <p>24 consistent with the opinions and bases for your</p>

43 (Pages 169 to 172)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 173	Page 175
<p>1 opinions in your supplemental rebuttal report?</p> <p>2 A. Yes, sir.</p> <p>3 MR. O'NEIL: Can I ask Ms.</p> <p>4 Bennett to put on the screen the</p> <p>5 supplemental rebuttal report, which I</p> <p>6 believe is Exhibit 5. Thank you, Ms.</p> <p>7 Bennett.</p> <p>8 Can I have control of the</p> <p>9 document, Ms. Bennett? Thank you.</p> <p>10 BY MR. O'NEIL:</p> <p>11 Q. How many opinions are in the supplemental</p> <p>12 rebuttal report, Dr. Lasater?</p> <p>13 A. Two are written.</p> <p>14 Q. Are there other opinions?</p> <p>15 A. Embedded in -- embedded especially in</p> <p>16 opinion one are -- are several opinions with respect</p> <p>17 to Mr. Jaffe's misuse of the sampling methodology as</p> <p>18 he criticizes the methodology that I used.</p> <p>19 Q. What was the criticism that Mr. Jaffe had</p> <p>20 that you're trying to respond to in supplemental</p> <p>21 reply opinion one?</p> <p>22 A. Fundamentally, Mr. Jaffe misunderstands or</p> <p>23 misreads or intentionally avoids the -- the fact that</p> <p>24 the sampling that was at the basis of the -- my</p>	<p>1 calculations for the variance of -- the variance</p> <p>2 calculation that leads to the -- the confidence</p> <p>3 interval around any estimate from a stratified</p> <p>4 sample, but also reflects the ability to do ex-post</p> <p>5 calculation or even an ex-ante calculation of an</p> <p>6 optimal allocation of a small sample number to strata</p> <p>7 in order to accomplish the sampling objective.</p> <p>8 Mr. Jaffe seems to misread,</p> <p>9 misunderstand or intentionally avoid the -- the --</p> <p>10 the issue of a stratified sample in this case and the</p> <p>11 ability to use a small, and by small I mean a</p> <p>12 relatively small, 400 or 800 versus -- versus several</p> <p>13 hundred thousand observations.</p> <p>14 What's more, is that work has been</p> <p>15 done in statistics, beginning with a paper that was</p> <p>16 published in 1987 in Biometrika, that is just part of</p> <p>17 the -- that is just a part of the lore, but is</p> <p>18 reflected in -- in -- in a section, in a table, in --</p> <p>19 in a textbook that I have already cited in this case</p> <p>20 by -- I think it's in the first -- I think it's in</p> <p>21 the very first report, which talks about</p> <p>22 multi-category sampling.</p> <p>23 And the multi-category sampling where</p> <p>24 one has -- it's Steven Thompson's text, where --</p>
Page 174	Page 176
<p>1 original report and the work that I have done was a</p> <p>2 stratified sample.</p> <p>3 Stratified sampling is a generally</p> <p>4 accepted tool, it is a -- it is a -- it is a</p> <p>5 methodology that I use, if not weekly, every other</p> <p>6 week in forums -- in forums that include the</p> <p>7 Department of Justice and -- and especially the</p> <p>8 Office of the Inspector General in health care cases</p> <p>9 where populations of -- of challenges with respect to</p> <p>10 Medicare charges are stratified by year.</p> <p>11 And the purpose of the -- the purpose</p> <p>12 of the stratification is to make sure that the</p> <p>13 sampling provides complete coverage with respect to</p> <p>14 the amount of time that is the basis for the --</p> <p>15 the -- either the challenge by DOJ, OIG or by the</p> <p>16 self-reporting of a client to -- to the Department of</p> <p>17 Justice and OIG relative to Medicare and Medicaid</p> <p>18 billing.</p> <p>19 The use of time periods with respect</p> <p>20 to stratification is so generally accepted that</p> <p>21 even -- even from textbooks from 1953 reflect the</p> <p>22 fact that a single sample can be allocated among --</p> <p>23 among many strata and, in fact, within the Cochran</p> <p>24 book that Mr. Jaffe references, there is not only</p>	<p>1 where -- where if you wanted to evaluate multiple</p> <p>2 categories and, interestingly, including up to 15</p> <p>3 categories, the samples -- the necessary sample size</p> <p>4 would be 510, and he says, and that 510, once the</p> <p>5 sampling is done, might end up being too large to</p> <p>6 accomplish the sampling objective.</p> <p>7 And so Mr. Jaffe is plainly wrong and</p> <p>8 is -- is misrepresenting the -- the statistical</p> <p>9 literature and what is generally accepted with</p> <p>10 respect to attribute sampling across the strata.</p> <p>11 Q. On the screen is paragraph 6 of your</p> <p>12 supplemental rebuttal report.</p> <p>13 Could you read aloud the first</p> <p>14 sentence from paragraph 6, that begins with "random</p> <p>15 selection."</p> <p>16 A. Random selection for a desired sample size</p> <p>17 of 400 from across periodic strata to accomplish a</p> <p>18 random sample from a population is a generally</p> <p>19 accepted statistical practice, period.</p> <p>20 Q. And the fact that Mr. Jaffe did not</p> <p>21 understand or, perhaps, acknowledge that stratified</p> <p>22 sampling is a generally accepted statistical</p> <p>23 practice, does that impact your opinion of Mr.</p> <p>24 Jaffe's experience with and understanding of</p>

44 (Pages 173 to 176)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 177	Page 179
<p>1 statistical sampling?</p> <p>2 A. I can't speak to his -- his experience, but</p> <p>3 he seems to not recognize it here, and I'll leave it</p> <p>4 to others to make that evaluation.</p> <p>5 Q. In particular, to demonstrate, Doctor -- or</p> <p>6 to support Mr. Jaffe's attack on your use of a</p> <p>7 generally accepted statistical practice, he</p> <p>8 hypothesized that letters in category three may have</p> <p>9 been concentrated in certain periods vastly different</p> <p>10 from other periods; correct?</p> <p>11 A. Correct.</p> <p>12 Q. But nothing in his report indicates that he</p> <p>13 ever tested that hypothesis; correct?</p> <p>14 A. Correct.</p> <p>15 Q. Did you read his deposition in this case,</p> <p>16 Mr. -- Dr. Lasater?</p> <p>17 A. I wasn't aware that he had been deposed.</p> <p>18 Q. Okay. Did you test Mr. --</p> <p>19 A. Oh, I'm sorry, I'm sorry, I'm sorry, yes, I</p> <p>20 did read his deposition. I'm sorry.</p> <p>21 Q. Okay.</p> <p>22 A. I did read the -- the -- read the rough</p> <p>23 transcript, yes, sir.</p> <p>24 Q. And nothing in that transcript indicated</p>	<p>1 basis at all in the data in this case.</p> <p>2 Q. Is it fair to say that you couldn't have</p> <p>3 responded to Mr. Jaffe's criticism of your use of</p> <p>4 generally accepted -- acceptable statistical</p> <p>5 practices before you actually got his report; is that</p> <p>6 fair to say?</p> <p>7 A. Well, it's fair to say that I didn't think</p> <p>8 it was -- I didn't think it was necessary to -- to</p> <p>9 provide that analysis, because it is so -- it is so</p> <p>10 generally accepted, and he had the data himself to --</p> <p>11 to challenge the use of the -- the binomial, to</p> <p>12 use -- challenge the use of any of the categories</p> <p>13 across any of these -- any of these periodic strata,</p> <p>14 and he hadn't done it up to his rebuttal report.</p> <p>15 Q. I direct your attention to paragraph 9 of</p> <p>16 Exhibit 5, your supplemental rebuttal report, and</p> <p>17 that references your second supplemental reply</p> <p>18 opinion; correct?</p> <p>19 A. Yes, sir.</p> <p>20 Q. And you -- you're directing that opinion at</p> <p>21 Mr. Jaffe's -- well, you call it an unexplained and</p> <p>22 untested statement that the 60-mile filter that you</p> <p>23 used to identify letters potentially written by</p> <p>24 others, then the consumer is unreliable, because,</p>
Page 178	Page 180
<p>1 that Mr. Jaffe did anything to test his hypothesis as</p> <p>2 to the rates of category three showing up in each</p> <p>3 temporal sample; correct?</p> <p>4 A. I think he answered a question from Mr.</p> <p>5 Hartmann that he had not.</p> <p>6 Q. Did you do anything -- once you received</p> <p>7 his report and you read his criticism of your use of</p> <p>8 a generally acceptable statistical practice, did you</p> <p>9 do anything to test Mr. Jaffe's hypothesis?</p> <p>10 A. Well, what I did was -- what I did was</p> <p>11 basically spread the categories for each and every</p> <p>12 category for purposes of including in a supplemental</p> <p>13 report an analysis that we had -- we had looked at</p> <p>14 early on with respect to the issue of uniform</p> <p>15 distribution across the -- or uniform rate across</p> <p>16 the -- the periodic categories.</p> <p>17 And -- and so what I wanted to do was</p> <p>18 formalize that review of the representativeness of</p> <p>19 the -- the strata across the population with the --</p> <p>20 with the -- with the analysis that you see in Annex</p> <p>21 3.2 of the supplemental report.</p> <p>22 Q. And what were the results of that analysis?</p> <p>23 A. That Mr. Jaffe's assertion, his</p> <p>24 hypothetical, his -- his strawman, had no empirical</p>	<p>1 according to Mr. Jaffe, quote: A considerable</p> <p>2 percentage of the U.S. population would be more than</p> <p>3 60 miles from a U.S. Postal Service postal and</p> <p>4 distribution center, close quote; correct?</p> <p>5 A. That is correct.</p> <p>6 Q. And what, if anything, did you and/or your</p> <p>7 staff do to test Mr. Jaffe's opinion about U.S.</p> <p>8 population?</p> <p>9 A. Well, first of all, Mr. Jaffe uses a -- a</p> <p>10 map that would -- that would have us looking in the</p> <p>11 desert of Arizona for the nearest -- the nearest</p> <p>12 postal distribution center to send -- to send a</p> <p>13 letter.</p> <p>14 He uses the entire map without</p> <p>15 recognition that the vast majority, and I don't mean</p> <p>16 60 percent, but a vast majority of these letters come</p> <p>17 from -- from urban areas, and so all of that extra</p> <p>18 space that Mr. -- Mr. Jaffe intends to use to</p> <p>19 apparently make his statements is simply not</p> <p>20 relevant.</p> <p>21 And so what -- what I then did was</p> <p>22 direct -- direct Ms. Harrington to look at the 137</p> <p>23 letters in -- in the first sample as an exemplar of</p> <p>24 an evaluation of Mr. Jaffe's assertion, and in -- in</p>

45 (Pages 177 to 180)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 181</p> <p>1 two steps evaluated whether or not -- whether or not</p> <p>2 a -- a postal -- a U.S. Postal distribution center</p> <p>3 was near the addressee.</p> <p>4 And -- and what we find is that,</p> <p>5 indeed, 16 of the 137 do not have a postal and</p> <p>6 distribution center within 60 miles, 16 of the 137,</p> <p>7 all of the rest -- all of the rest do.</p> <p>8 Q. So unlike Mr. Jaffe, you actually looked at</p> <p>9 the data and compared the data to his conclusions</p> <p>10 about where the U.S. population is located; correct?</p> <p>11 A. I did that with respect to the -- the</p> <p>12 representative sample of four -- my first sample of</p> <p>13 400.</p> <p>14 Q. Okay. And what were the results of that</p> <p>15 analysis?</p> <p>16 A. Once again, among the -- among -- among the</p> <p>17 remaining 33 letters that were sent not crossing</p> <p>18 state lines, only 16 had the nearest processing and</p> <p>19 distribution center farther than 60 miles from the</p> <p>20 consumer's mailing address.</p> <p>21 Q. And as part of your first report, you and</p> <p>22 your team considered what percentage of the two</p> <p>23 samples of 400 letters were mailed 60 or more miles</p> <p>24 from the consumer's address; correct?</p>	<p style="text-align: right;">Page 183</p> <p>1 whether any of the template letters that were</p> <p>2 identified in your report originated from credit</p> <p>3 repair organizations.</p> <p>4 Do you recall that question?</p> <p>5 A. I do.</p> <p>6 Q. And do you recall that you said that --</p> <p>7 that you didn't do that analysis?</p> <p>8 A. That's correct.</p> <p>9 MR. FRANCIS: Objection,</p> <p>10 leading.</p> <p>11 You can answer.</p> <p>12 MR. O'NEIL: Just refreshing</p> <p>13 his recollection, Mr. Francis.</p> <p>14 THE WITNESS: I remember</p> <p>15 that -- I remember that question and</p> <p>16 answer.</p> <p>17 BY MR. O'NEIL:</p> <p>18 Q. Are you aware that TransUnion has retained</p> <p>19 another expert in this case named John Ulzheimer?</p> <p>20 A. In conversation with you since my report,</p> <p>21 since my initial report, I understand that a Mr.</p> <p>22 Ulzheimer has been engaged.</p> <p>23 Q. Did you happen to review his rebuttal</p> <p>24 report in this case?</p>
<p style="text-align: right;">Page 182</p> <p>1 A. Yes, sir.</p> <p>2 Q. And did you and your team do any analysis</p> <p>3 as to the locations from which those letters were</p> <p>4 mailed?</p> <p>5 A. Locations with respect to the -- the</p> <p>6 postmarks, yes, sir.</p> <p>7 Q. And do you recall that your opinion in</p> <p>8 Exhibit 1, paragraph 5.6 noted that of the letters</p> <p>9 postmarked in the city geographically distant from</p> <p>10 the individual consumer, within the sample of 835</p> <p>11 letters, that 44 percent of such letters were</p> <p>12 postmarked from Denver; correct?</p> <p>13 MR. FRANCIS: Objection,</p> <p>14 leading.</p> <p>15 BY MR. O'NEIL:</p> <p>16 Q. It's page 46 of your first report.</p> <p>17 A. Yes, sir, that is -- I think it's Annex --</p> <p>18 Annex 5.6?</p> <p>19 Q. Correct.</p> <p>20 A. And of those -- of those 262 letters that</p> <p>21 were more than 60 miles distant from the address of</p> <p>22 the consumer, 44 percent of them were from Denver.</p> <p>23 Q. Okay. Shifting gears, Mr. Francis asked</p> <p>24 you today if you made any attempt to determine</p>	<p style="text-align: right;">Page 184</p> <p>1 A. I -- I did look at it, and I think it -- I</p> <p>2 hope that it is -- I hope that it is written into my</p> <p>3 documents considered. If not, then that is a</p> <p>4 mistake, because that is documents considered in</p> <p>5 the -- in the supplemental rebuttal report, because I</p> <p>6 received it -- I received those reports after my -- I</p> <p>7 think I received those reports after my first</p> <p>8 supplemental report, and so I have looked at the</p> <p>9 sections of Mr. Ulzheimer's report that address</p> <p>10 credit repair.</p> <p>11 MR. FRANCIS: Objection,</p> <p>12 non-responsive, move to strike.</p> <p>13 BY MR. O'NEIL:</p> <p>14 Q. Do you recall whether Mr. Ulzheimer, in his</p> <p>15 rebuttal report, identified letters from class</p> <p>16 members here which he was certain originated with</p> <p>17 credit repair organizations?</p> <p>18 A. I saw that he had.</p> <p>19 Q. Aside from this engagement, Dr. Lasater,</p> <p>20 have you ever been asked to review documents and use</p> <p>21 statistical sampling to surmise as to the content of</p> <p>22 those documents?</p> <p>23 A. Many, many times.</p> <p>24 Q. And you have been qualified as an expert to</p>

46 (Pages 181 to 184)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 185</p> <p>1 offer those types of opinions; isn't that correct?</p> <p>2 A. Well, so --</p> <p>3 MR. FRANCIS: Objection,</p> <p>4 leading, misstates prior testimony.</p> <p>5 THE WITNESS: So I have not --</p> <p>6 I have not testified with the results of</p> <p>7 that. What I -- what I would -- what I</p> <p>8 would point to is the experience that I</p> <p>9 have with the development of FTI's</p> <p>10 capabilities in the document processing</p> <p>11 and technology marketplace, beginning in</p> <p>12 2007 with the senior managing director</p> <p>13 who led that initiative, named Joe Looby,</p> <p>14 and through Mr. -- through Mr. Looby, I</p> <p>15 assisted him in developing position</p> <p>16 papers and doing analysis for the Sedona</p> <p>17 Conference.</p> <p>18 I -- I made statements at a</p> <p>19 Bank One conference on probabilistic</p> <p>20 coding in or about 2008 or 2009, if</p> <p>21 memory serves, with respect to the</p> <p>22 quality -- the quality assurance elements</p> <p>23 of -- of testing probabilistic coding,</p> <p>24 and -- and so I am deeply familiar with</p>	<p style="text-align: right;">Page 187</p> <p>1 not one, but two lawyers reviewing each letter;</p> <p>2 right?</p> <p>3 MR. FRANCIS: Objection,</p> <p>4 leading.</p> <p>5 THE WITNESS: That is correct,</p> <p>6 and it's a -- it's a generally accepted</p> <p>7 practice for quality assurance.</p> <p>8 BY MR. O'NEIL:</p> <p>9 Q. Okay. Well, you --</p> <p>10 MR. FRANCIS: Objection,</p> <p>11 non-responsive, move to strike.</p> <p>12 BY MR. O'NEIL:</p> <p>13 Q. You -- actually, that was going to be my</p> <p>14 next question.</p> <p>15 Why did you make the decision to use</p> <p>16 two reviewers instead of one?</p> <p>17 A. Because it's a generally accepted practice.</p> <p>18 Q. In statistical sampling?</p> <p>19 A. With respect to -- with respect</p> <p>20 to bibliographic --</p> <p>21 THE COURT REPORTER: I'm sorry,</p> <p>22 did you say something, Mr. Francis?</p> <p>23 MR. FRANCIS: Yes, I objected</p> <p>24 as leading.</p>
<p style="text-align: right;">Page 186</p> <p>1 it.</p> <p>2 Since that time, I have advised</p> <p>3 dozens of engagements from our technology</p> <p>4 group with respect to quality assurance</p> <p>5 testing and the statistics associated</p> <p>6 with probabilistic coding, as we are</p> <p>7 using it here.</p> <p>8 And so I have a vast experience</p> <p>9 without ever having to -- ever having to</p> <p>10 testify. It's usually -- it's usually</p> <p>11 developing the responsiveness of the</p> <p>12 document production in cases, especially</p> <p>13 antitrust cases and -- and other major</p> <p>14 cases where there is a lot of both</p> <p>15 electronic and -- and OCR documentation,</p> <p>16 and so the development of the -- the</p> <p>17 development of the sampling, especially</p> <p>18 with -- especially with respect to the</p> <p>19 quality assurance is -- is -- is</p> <p>20 fundamental to my experience.</p> <p>21 BY MR. O'NEIL:</p> <p>22 Q. You testified earlier today that when the</p> <p>23 contract lawyers were reviewing each of the letters,</p> <p>24 of the 835 letters in the two samples, that you had</p>	<p style="text-align: right;">Page 188</p> <p>1 THE WITNESS: With respect --</p> <p>2 with respect to bibliographic coding.</p> <p>3 BY MR. O'NEIL:</p> <p>4 Q. Okay. And then you used not one but two</p> <p>5 samples of letters to come up with your opinions in</p> <p>6 this case; right?</p> <p>7 A. Yes, sir.</p> <p>8 MR. FRANCIS: Objection,</p> <p>9 leading.</p> <p>10 BY MR. O'NEIL:</p> <p>11 Q. Why did you decide to use two samples</p> <p>12 instead of one?</p> <p>13 A. Two reasons. Given the size of the</p> <p>14 population of letters, to a lay jury or to a judge</p> <p>15 who is not experienced in -- in statistical sampling</p> <p>16 or especially attribute sampling within statistical</p> <p>17 sampling, a sample size of 400 can have optics that</p> <p>18 make it appear that it is too small to be believable,</p> <p>19 in spite of the fact that the -- the mathematics and</p> <p>20 all of the empirics support that assertion.</p> <p>21 And so the -- the -- the design of</p> <p>22 this, which is, again, a very standard, generally</p> <p>23 accepted design with respect to waves of sampling, to</p> <p>24 be sure that there is nothing -- there is nothing</p>

47 (Pages 185 to 188)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

<p style="text-align: right;">Page 189</p> <p>1 biased in the first set of results and, in</p> <p>2 particular, what is known in survey sampling as</p> <p>3 non-response bias, would be able to be evaluated by a</p> <p>4 second sample, and that second sample is -- is just</p> <p>5 the next 400 in the sequence of the random 800,</p> <p>6 which, again, ensures that there is no repetition or</p> <p>7 no bias with respect to the selection of the letters</p> <p>8 that would be in the second sample, and so there were</p> <p>9 two -- two reasons. One was optics, the other was</p> <p>10 testing for bias.</p> <p>11 And -- and -- and I'd like to be able</p> <p>12 to speak to -- speak to the question of bias and the</p> <p>13 challenge to bias and the misuse of that term in Mr.</p> <p>14 Jaffe's report, but that's not a question on the</p> <p>15 table.</p> <p>16 Q. Well, Mr. Jaffe characterized your opinions</p> <p>17 as -- as having a bias; correct?</p> <p>18 A. He did.</p> <p>19 Q. And what was -- what bias or biases was he</p> <p>20 referring to?</p> <p>21 A. What he was -- what he was somehow or</p> <p>22 another proposing was that the -- that, number one,</p> <p>23 that there was not a -- there was not some sort of a</p> <p>24 uniform rate or discoverable uniform rate across the</p>	<p style="text-align: right;">Page 191</p> <p>1 sample effectively proves the first sample; there is</p> <p>2 no bias.</p> <p>3 MR. FRANCIS: Objection,</p> <p>4 non-responsive, move to strike.</p> <p>5 BY MR. O'NEIL:</p> <p>6 Q. So, Mr. Jaffe agreed with you on that</p> <p>7 point.</p> <p>8 A. He agreed --</p> <p>9 MR. FRANCIS: Objection,</p> <p>10 leading.</p> <p>11 THE WITNESS: Mr. Jaffe agreed</p> <p>12 that there is no difference in the</p> <p>13 results between the second sample and the</p> <p>14 first sample with respect to the</p> <p>15 categories that were identified by the</p> <p>16 reviewers of the samples of letters.</p> <p>17 MR. O'NEIL: I have nothing</p> <p>18 further. Thank you very much, Dr.</p> <p>19 Lasater.</p> <p>20 ---</p> <p>21 FURTHER EXAMINATION</p> <p>22 ---</p> <p>23 BY MR. FRANCIS:</p> <p>24 Q. Just a couple quick follow-ups.</p>
<p style="text-align: right;">Page 190</p> <p>1 periodic strata. We addressed that. We addressed</p> <p>2 that. But even the example that he used with respect</p> <p>3 to bias is -- is in error.</p> <p>4 There are three types of biases in</p> <p>5 statistical sampling. One is estimation bias, the</p> <p>6 other is selection bias and the other is measurement</p> <p>7 bias, and if there was any question with respect to</p> <p>8 selection or measurement, it would have to do with</p> <p>9 the sampling methodology.</p> <p>10 There is another bias that is -- that</p> <p>11 is embedded in -- in all of the methodologies that is</p> <p>12 the testing for that bias, embedded in the</p> <p>13 methodologies using two waves of statistics --</p> <p>14 statistical samples, and that is estimation bias.</p> <p>15 The definition of estimation bias is,</p> <p>16 does the statistic that is derived from the</p> <p>17 population -- from the estimate using the methodology</p> <p>18 that is proposed, does it vary from that which would</p> <p>19 be discoverable if we knew the -- if we knew or had</p> <p>20 access on the entire population of -- of -- in this</p> <p>21 case, of letters.</p> <p>22 And so we get some insight to whether</p> <p>23 or not it's biased by doing a second sample, and what</p> <p>24 we find, and Mr. Jaffe affirmed, is that the second</p>	<p style="text-align: right;">Page 192</p> <p>1 Dr. Lasater, Mr. O'Neil asked you a</p> <p>2 few minutes ago about why you chose to not just use a</p> <p>3 400-person sample, but, instead, use the second 400</p> <p>4 sample.</p> <p>5 Do you recall those questions?</p> <p>6 A. Yes, sir.</p> <p>7 Q. And you said one of the reasons was the</p> <p>8 optics of it; correct?</p> <p>9 A. Yes, sir.</p> <p>10 Q. And you said one of the reasons was a jury</p> <p>11 or a layperson might find that not to be reliable</p> <p>12 from an optical standpoint.</p> <p>13 Do you recall that?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Which judge or jury have you ever</p> <p>16 experienced who found that a 400-person sample was</p> <p>17 insufficient?</p> <p>18 A. I deal with -- I deal with lay users of the</p> <p>19 statistical work that I do every -- every couple of</p> <p>20 weeks, Mr. Francis, including -- including having to</p> <p>21 educate lawyers who didn't have -- who didn't take</p> <p>22 the course on statistics for lawyers at law school</p> <p>23 about --</p> <p>24 Q. Okay.</p>

48 (Pages 189 to 192)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 193	Page 195
<p>1 A. -- about -- about the size of the sample in 2 relation to what we are trying to accomplish, and 3 that -- 4 Q. And that was -- 5 A. -- and that -- and, frankly, that is why -- 6 that is why, for example, I put the table in my 7 original report that shows sample sizes with respect 8 to various sampling criteria, showing that -- that 9 when we use a binomial sample, we can have sample 10 sizes, depending on our criteria, as small as nine or 11 as big as 1,000, depending on the criteria that we 12 are using. 13 And so -- and so if -- if a -- if a 14 judge or a jury or -- or legal counsel were to be 15 concerned about the size of the sample, what I am 16 able to show is -- and using the formula that -- that 17 Mr. Jaffe uses and that I use as well to develop the 18 sample size of 400, that 400 is adequate for purposes 19 of deriving inferences about the population. 20 Q. Doesn't the sample size depend upon the 21 total population? 22 A. It does not. 23 Q. Okay. And so it's your testimony the judge 24 and the jury in this case, they would find 400</p>	<p>1 expert witness. 2 Do you consider yourself an expert in 3 marketing? 4 A. I consider myself an expert in the 5 development of the statistics around survey sampling. 6 Q. Okay. But -- but in terms of -- you don't 7 consider yourself an expert in marketing. 8 A. Marketing -- 9 MR. O'NEIL: Objection, vague 10 as to the term "marketing." 11 THE WITNESS: Marketing is -- 12 marketing is a -- is a discipline that 13 uses statistics, and I am bringing the 14 discipline to the evaluation of waves of 15 random samples, which is a generally 16 acceptable practice in marketing and in 17 many other -- in many other business 18 disciplines. 19 BY MR. FRANCIS: 20 Q. Sir, you don't have any degrees in 21 marketing, do you? 22 A. No, sir. This was not focused on 23 marketing. I'm using it as an example of how the -- 24 how multiple waves of sampling can be used to test</p>
Page 194	Page 196
<p>1 insufficient, but an extra 400 they would find to be 2 acceptable; is that your testimony? 3 A. No, sir. What I'm saying is that the -- 4 the second 400, number one, enlarges the sample size 5 by twice; secondly, subsumes any multi-category -- 6 any multi-category challenges with respect to the 7 categories, as I mentioned in my testimony a few 8 minutes ago; and then -- and then, third, the second 9 sample is intended to evaluate whether or not there 10 is any non-response bias from the -- from the first 11 sample. 12 It is a -- it is a generally accepted 13 tool in -- in marketing, it's a generally accepted 14 tool in testing whether or not a sample is 15 representative. 16 I most recently used it in an 17 arbitration involving the Canadian Navy in testimony 18 I gave in December of 2021 and looking at multiple 19 waves of -- of samples as to whether or not the -- 20 whether or not the samples were representative of the 21 population. 22 Q. Okay. And I asked you a bunch of questions 23 before about your expertise, education and the 24 subject matter for which you have knowledge as an</p>	<p>1 the reliability of earlier random samples. 2 MR. FRANCIS: All right. No 3 further questions. Thank you. 4 MR. O'NEIL: Thank you, Dr. 5 Lasater. 6 We will reserve signature. 7 THE COURT REPORTER: And would 8 you like a copy, Mr. O'Neil? 9 MR. O'NEIL: Sure, if Mr. 10 Francis will pay for the first copy, 11 I'll -- I'll take a copy as well. 12 MR. FRANCIS: I guess I'll pay 13 for the copy. 14 THE VIDEOGRAPHER: This 15 concludes the video deposition of David 16 Lasater, Ph.D., the time is 4:26 p.m. and 17 we are going off the record. 18 (Deposition concluded at 4:26 19 p.m.) 20 (Lasater-1 through Lasater-5 21 marked for identification.) 22 23 24</p>

49 (Pages 193 to 196)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

Page 197	Page 199
1 CERTIFICATION	1 ERRATA SHEET
2 - - -	2 Attach to Deposition of: DAVID B. LASATER, Ph.D.
3 I hereby certify that the testimony	3 Taken on: May 5, 2022
4 and the proceedings in the foregoing matter	4 In the Matter of: Duane E. Norman, Sr. vs.
5 are contained fully and accurately in the	TransUnion LLC
6 stenographic notes taken by me, subject to the	5
7 quality of the Internet/telephone connection,	6 PAGE LINE NO. CHANGE REASON
8 and that the copy is a true and correct	7 -----
9 transcript of the same.	8 -----
10	9 -----
11	10 -----
12	11 -----
13	12 -----
14 -----	13 -----
15 Andrea M. Brinton, Professional	14 -----
Court Reporter and Notary Public	15 -----
16	16 -----
17	17 -----
18	18 -----
19 The foregoing certification does	19 -----
20 not apply to any reproduction of the same by	20 -----
21 any means, unless under the direct control	21 -----
22 and/or supervision of the certifying	22 -----
23 reporter.	23 -----
24	24
Page 198	Page 200
1 INSTRUCTIONS TO WITNESS FOR READING & SIGNING	1 SIGNATURE PAGE
2 Read your deposition over carefully. It is	2
3 your right to read your deposition and make changes	3 - - -
4 in form or substance. You should assign a reason in	4
5 the appropriate column on the errata sheet for any	5 I hereby acknowledge that I have
6 change made.	6 read the foregoing transcript, dated May 5, 2022,
7 After making any changes in form or	7 and the same is a true and correct transcription of
8 substance which have been noted on the following	8 the answers given by me to the questions propounded,
9 errata sheet along with the reason for any change,	9 except for the changes, if any, noted on the errata
10 sign your name on the errata sheet and date it.	10 sheet.
11 Then sign your deposition at the end of	11
12 your testimony in the space provided. You are	12 - - -
13 signing it subject to the changes you have made in	13
14 the errata sheet, which will be attached to the	14
15 deposition before filing. You must sign it in front	15
16 of a witness. Have the witness sign in the space	16 SIGNATURE: -----
17 provided. The witness need not be a notary public.	DAVID B. LASATER, Ph.D.
18 Any competent adult may witness your signature.	17
19 Return the original errata sheet to your	18 DATE: -----
20 counsel promptly. Court rules require filing within	19
21 30 days after you receive the deposition. Counsel is	20 WITNESSED BY: -----
22 asked to send a copy of the errata sheet to Summit	21
23 Court Reporting for our records.	22
24	23
	24

50 (Pages 197 to 200)

SUMMIT COURT REPORTING, INC.

215.985.2400 * 609.567.3315 * 800.447.8648 * www.summitreporting.com

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

A	35:20 36:2 37:3,7 37:9 38:11,20 39:2,6	124:7 130:19 134:11 136:1,20 136:24 137:5 141:16,20	182:2 183:7 185:16	126:10 188:18
a.m 1:14 4:2 39:23 40:2	ACTION 1:3	agreed 79:12	analytic 17:21	appearance 44:13
abbreviate 10:15	actions 28:12,12,13 28:14,15,16	116:15 191:6,8,11	analyzing 79:7	APPEARANCES 2:2
ability 7:13 27:6 75:19 134:20 135:6 175:4,11	activated 128:9	agreeing 120:23	and/or 11:14 48:2 73:23 90:23 104:12 144:22 160:10 180:6 197:22	appeared 126:16 appearing 109:10 appears 7:2 12:13 34:19 43:16 110:8 118:9
able 8:7 20:21 94:8 95:14 101:9 121:1 134:22 158:9 189:3,11 193:16	actual 50:18 156:17	agreement 3:12 5:16 33:9 34:16 36:5 38:9 39:10 40:5 42:2 75:23 115:12	Andersen 17:13 19:11	appended 79:4 applicant 27:5 applicants 26:1,1,2 application 27:3 32:16 33:2
abreast 17:20	added 111:9	ahead 13:7 30:4,6 75:9 82:21 86:13 98:7,16 101:1 121:18 162:2	Andrea 1:15 4:18 10:7 86:18 197:15	applications 26:3,3 26:6,10,17,23
abroad 140:17	address 80:1,17,18 82:1,3 96:12,16 104:12 137:13 138:23 181:20,24 182:21 184:9	AI 138:17 139:4,6 139:14	ANDREW 2:8	applied 78:19 113:23 114:6 117:23 119:3,9 124:13 135:17
acceptable 178:8 179:4 194:2 195:16	addition 145:10	albert.hartmann... 2:16	anecdotal 60:6,8,17	apply 65:4 77:19,19 118:13 124:19 127:6 158:21 197:20
accepted 29:10,11 30:17 93:13 127:21 141:11,18 174:4,20 176:9,19 176:22 177:7 179:4,10 187:6,17 188:23 194:12,13	addressed 190:1,1	algorithms 15:1 138:24 139:9	Anne 2:18	applying 110:13 124:12
access 190:20	addressee 79:23 80:1,10 81:12 82:20,23 83:6,8 126:21 181:3	allege 162:5	annex 47:4,4,8,20 47:21 148:9 160:2 178:20 182:17,18	appreciate 8:7,13 8:17 9:6,6 48:9
accompanies 60:3	addressee's 81:9	allocated 174:22	annexes 10:4 12:4	appropriate 33:2 198:5
accompanying 114:5	addresses 43:7 82:12,12 130:14	allocation 175:6	answer 10:21,23 15:24 18:14 20:21 21:8 27:9,14 28:5 32:2,7,14 33:4,6 36:3,3,19 37:14 38:22 49:5 50:8 53:23 57:10 61:3 66:24 69:2 81:2,2 83:2,2 85:7 86:13 87:14 98:13,16 101:1 104:4 116:3 116:3,7 119:12,21 121:1,8,8,9,9 122:14 123:5 129:1,24 134:21 136:18 138:18 139:16 146:23 167:19 183:11,16	approximately 95:15 154:2
accomplish 106:24 125:16 175:7 176:6,17 193:2	addressor 79:23	allow 104:8	answered 22:7 116:24 117:4 164:11 178:4	April 169:7 171:2 171:15 172:1
accomplished 125:1,2	adequate 193:18	aloud 176:13	answering 7:12 11:7 75:7	arbitration 13:3 194:17
account 88:9 102:3 125:19,21 146:3 153:3 167:12	administered 5:2	American 78:19 84:14,15 93:13,16 93:19 94:9 127:22	answers 91:9 98:14 200:8	arch 61:20
accounting 13:13 13:15,15,19 14:2 14:10,21 24:23,23	administration 27:17	amm@consumer... 2:10	anti-fraud 25:9	area 26:2 30:8,23 31:3,7,15 32:10 32:12,21 59:22
accounts 144:15,21 145:5,11,23 146:6 146:8	adult 198:18	amount 48:20 91:6 91:8 174:14	anticipate 117:8,17	areas 30:12 180:17
accumulate 36:17	advise 8:11 126:17 126:17,18 165:3	analyses 36:23 47:23	antitrust 186:13	arena 122:9
accuracy 88:8 100:3,20 101:11 103:1,2 123:17 124:10,21,22 125:5,13,18,19 167:11	advised 76:13 186:2	analysis 17:22 26:20 27:13 30:16 30:17 32:1 42:3 46:10,21 47:23 51:10 65:3 66:10 70:7 74:15 80:16 82:5 83:14 89:5 91:18 92:4 94:17 97:20 99:13 100:1 106:24 113:5 116:14 124:4,13 126:2 129:14,20 130:4,18 134:13 144:5 147:18,20 148:17 149:13 153:8 157:6 161:16 167:23 178:13,20,22 179:9 181:15	anybody 35:11 52:17 58:8 61:5 85:1 128:18	arises 82:22
accurately 20:9 47:21 170:12 171:5 172:19 197:5	advising 42:3,4 55:21 89:9		anyplace 105:5	Arizona 180:11
acknowledge 4:21 5:1,11 131:1 176:21 200:5	advisories 164:18		anytime 62:2	arrangement 5:7
Act 27:21 31:12	affirm 8:8		apparent 126:4	Arthur 17:12 19:11
	affirmed 121:22,23 190:24		apparently 180:19	articles 48:15
	aforegoing 197:4 200:6		appear 117:10	artificial 139:1,17 139:22
	agency 85:13 133:11			aside 18:20 35:6,10 49:19 51:22 184:19
	agent 80:7,7,13,19 81:4 82:14,23 83:17 85:17 132:15,16,17,19 132:24 133:1,3			asked 15:23 22:6 27:11 37:15 42:6 46:4 62:7 71:23 85:20 86:1,2,4,5,7
	agents 79:16,18			
	ago 23:6 26:18 33:10 64:1 192:2 194:8			
	agree 5:11,17,23 75:23 99:15 104:6 112:17,20 117:6			

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

86:9 88:13,16,23 89:1,16 96:11,19 96:24 97:4,5,15 100:14 106:13 111:16,21 117:3 122:24 123:14 125:23 136:15,17 137:9 144:12 182:23 184:20 192:1 194:22 198:22 asking 11:6 40:5 66:9 67:20 72:19 72:22 73:8 74:22 74:22 77:1 85:11 88:12 95:11 110:6 110:8 121:3 127:11 138:12 146:12,17 149:19 157:5 asks 133:5 assert 76:14 assertion 69:18 72:5 88:1,8 96:17 97:24 103:10 104:14 105:8 106:15 107:7 108:21 118:18 132:8 146:18 154:5 161:19 178:23 180:24 188:20 assertions 64:5,24 65:16 66:20 68:7 69:1 72:2 73:23 79:16 89:4 95:4 95:19,24 96:9 98:9 99:7 131:5,6 131:16 138:1 144:7 148:13 asserts 118:6 assessment 128:19 assign 121:6 134:19 158:9 198:4 assigned 88:17 assignment 21:20 24:13,13 26:15 46:9,14 56:16 57:1,6,14,21 61:15 85:19,23 87:7 88:14 assistance 68:18 assistant 34:2 assisted 185:15 assisting 41:5	42:17 associate 105:12 107:17 108:2 associated 18:1 86:23 112:16 115:21 131:9 186:5 assume 7:11 152:21 158:2 168:23 assumed 141:12 152:4,9 assumes 55:9 62:21 63:20 69:11 89:20 100:10,23 128:22 assuming 7:5 108:24 129:23,23 assumption 152:13 153:6 assumptions 125:24 assurance 111:4 115:21 116:14,15 121:22,23 160:16 160:21 161:2 165:4 185:22 186:4,19 187:7 Attach 199:2 attached 47:8 198:14 attachment 169:2 attachments 10:8 128:12 attack 177:6 attempt 93:1 129:14 130:9 182:24 attend 88:10 attended 14:14 18:7 attention 10:20 12:7 61:20 153:24 179:15 attorneys 4:20 6:19 attribute 176:10 188:16 attributed 156:20 attributes 75:16 atypical 54:4 audio 11:4,9 auditing 24:23 auditor 60:4 auditors 61:9 Austin 14:11 authentic 132:7	authorization 109:8 109:10,13,14,16 111:20,23 112:10 113:8,12 117:1,7 117:9,22 118:4,16 118:19 120:9 authorize 88:2 107:8 112:3,4,4 113:20 117:18 118:7,9 automated 138:11 138:17 available 50:13 101:14 Avenue 2:9 average 59:13,15 142:16,17,18 avoid 90:3,3 175:9 avoids 173:23 aware 10:17 11:12 11:15 28:22 29:12 29:24 32:4,18 53:18 55:3,3,4,11 56:5,7 57:19 62:17 91:18 92:3 92:5,11 114:9 123:8,11 138:23 177:17 183:18 awful 51:9 B B 1:13 3:3,8,10,14 3:16 6:10 11:23 199:2 200:16 BA 13:19 back 15:23 22:4 24:6 40:1 43:24 45:14 75:11 76:24 79:14 86:15,19,21 107:19 110:2 119:11 123:12 143:24 144:19 149:18 150:6 151:14 163:11 Bank 185:19 banking 26:23,24 banks 27:4 based 13:5 28:8,8,8 40:24 52:9 53:9,9 53:10 68:13 84:15 84:21 156:16 157:13 162:3 166:8 167:23 171:8,8 bases 170:13,18 171:6,22,24	172:19,24 basic 7:7 basically 53:13 54:2 178:11 basis 36:8 53:15 60:21 64:20 65:7 65:13,20 66:2,5 84:6 94:24 99:24 126:2 133:1,14 135:8 173:24 174:14 179:1 Bates 33:16 105:13 107:16 Bates-stamped 105:9 107:16 bear 93:14 began 36:14 46:9 46:10,13 140:5,5 beginning 5:18 26:12 43:14 89:2 108:11 138:7 175:15 185:11 begins 36:12 107:3 107:23,24 128:14 140:13 176:14 begun 157:12 behalf 1:3 4:7 6:2 28:1,17 37:2 81:12 83:7 being's 135:21 believable 188:18 believe 14:5 113:13 148:9 173:6 believed 55:15 benefit 150:20 benefits 147:16 Bennett 2:20 34:3 173:4,7,9 best 7:12 66:23,23 134:24 better 20:21 68:5 81:2 104:4 beyond 59:13 61:3 79:11,11 bias 189:3,7,10,12 189:13,17,19 190:3,5,6,7,10,12 190:14,15 191:2 194:10 biased 189:1 190:23 biases 189:19 190:4 bibliographic 71:12 93:18 94:4,14,16 94:17 127:22	140:1,1 166:19 187:20 188:2 big 193:11 billed 44:5 billing 40:14 174:18 billion-dollar 41:10 bills 44:3 binary 142:20 143:2 143:3 binder 9:12,16,19 9:21 10:1 binomial 142:23 143:5 149:20 179:11 193:9 Biometrika 175:16 bit 39:13 70:22 73:21 102:6 123:7 blank 9:10 bold 30:14 144:4 bona 83:5 131:7,12 135:1 book 174:24 bottom 12:15 bounds 162:18 box 21:16 32:13,24 brains 120:11 brand 140:15 Brazilian 13:4 break 39:15 40:4 96:14 104:19,20 104:24 110:6 143:15 150:3,9 163:2 Brief 39:24 143:23 163:10 briefly 52:20 bring 105:13 bringing 32:16 94:18 195:13 Brinton 1:15 4:18 197:15 broader 99:2 bucket 105:15,17 106:4,19 107:3 108:3,4,7,8,10,11 108:13 110:6,10 110:11,14 111:12 111:17,19 113:10 114:1,5 117:2,18 117:19,22 118:3 118:12,15 119:4 119:10 120:5,16 121:6 160:10,11 164:10 buckets 116:2,9 118:23 149:5,9
--	--	--	--	---

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

158:10,23 165:15 166:10 bullet 109:6 111:17 118:2 bunch 28:20 194:22 business 14:20 195:17 bypass 122:19	190:21 193:24 cases 28:13,21 29:9,16 32:19 37:8 38:15 39:4 174:8 186:12,13 186:14 catchall 80:14 categorical 140:14 140:17 164:15,23 164:23 categories 66:24 68:2,18 70:10 73:15 76:16,22 86:24 88:3 91:13 95:16,23 96:3,8 96:23,23 97:2 99:21 101:15,16 103:3 106:13 121:24 123:22 124:3,8,20 125:21 148:7 153:17 156:21 157:7,16 164:7 165:15 167:13 176:2,3 178:11,16 179:12 191:15 194:7 categorize 67:24 75:19 159:18 categorized 76:10 137:22 categorizing 68:21 category 51:5 69:5 69:5,14,23 74:5 76:17 78:3,3 87:16,24 101:19 102:18 103:7,7,24 104:10 105:15 106:8 118:5 120:24 124:9 135:23 148:13,20 149:1 154:4 156:5 161:18 167:8 177:8 178:2,12 cause 121:6 caused 123:9 caveat 62:9 cell 13:4 140:16 center 106:22 180:4 180:12 181:2,6,19 centered 103:15 104:14 105:8 108:20 109:2 centers 88:1 102:6 103:10 105:14,14 106:7,7,8,14 107:7 108:22	certain 46:22 55:1 90:23 117:21 130:2 136:22 137:7,7 149:24 177:9 184:16 certainly 29:18 142:10 certainty 62:10 certification 162:23 197:1,19 certifications 20:5 27:20 certified 1:23 4:16 5:22 6:20 61:17 certify 197:3 certifying 197:22 CFPB 25:24 27:1 challenge 89:23 174:15 179:11,12 189:13 challenges 174:9 194:6 change 15:23 106:22 198:6,9 199:6 changes 17:21 36:9 198:3,7,13 200:9 characteristic 106:10 115:18,19 141:9 142:20 143:2 152:14,23 154:6 characteristics 113:3 115:22 147:19 153:5,12 165:11 characterized 87:2 148:15 189:16 charges 174:10 Charles 17:12 19:12 chart 103:9 105:19 107:19,21,22 163:15,17,20 164:13 165:6 166:21 check 65:3 Chicago 2:14 19:15 choose 84:4,8 126:11 chose 126:11 192:2 chronological 150:11,20,21 151:4,7,11,18 152:10,15 153:5 153:13	circularization 60:3 61:9 circumstance 62:1 65:13,21 66:2,5 147:8 circumstances 42:4 62:18 63:15 65:7 88:6 138:8 155:11 cite 113:14,14 cited 109:8 111:23 111:24,24 112:9 141:5 175:19 cites 118:4 citing 109:13 city 182:9 CIVIL 1:3 claim 69:17,17 claims 35:20 36:1 37:9 class 5:23 6:20 28:12,12,13,14,15 28:16 50:21 56:17 58:1 61:17,19 79:7 122:21 123:9 132:2 137:8 150:10 151:22 162:22 184:15 clean 8:5 13:9 clear 11:6 76:4 83:13 91:16 106:12 123:7 128:13 137:4 148:19 169:6 client 37:2 89:10 126:18 174:16 clients 37:7 42:4 44:14 close 180:4 Cochran 174:23 code 69:15 113:10 coded 114:12 117:2 119:21 120:5,5 124:17 coders 88:9 codes 61:2 coding 47:13 69:16 70:14 73:14 78:24 90:18 92:20,22 93:6 101:24 103:19 104:5,8 105:16,18 114:14 115:3,11,11,16 116:13,14 118:20 120:16 148:12 159:24 166:19	185:20,23 186:6 188:2 cognitive 90:15,15 91:10 93:8 113:4 collect 140:14 college 140:16 column 148:24 149:4 198:5 combination 46:1 combinations 148:12,20 149:1 149:14,17 combine 150:7 combined 142:1 150:18 come 125:5 126:16 156:6 164:21 165:22 180:16 188:5 comes 63:11 102:24 132:12 commencing 1:14 comment 167:11 commenting 171:13 communicate 70:4 communicating 73:10 communication 23:23 24:3 31:7 55:7,16,22 56:3,9 63:12 71:6 72:4 72:16 74:10 77:3 98:3,21 135:18 148:16 162:5,9 167:2 communications 23:9,12,16,23 24:3 31:8 53:11 53:13 54:13,21 55:1,20 58:4 60:4 61:11 71:6,17 75:16 138:9 155:12 community 139:18 140:4 commuter 71:16 72:3 companies 41:5 42:18 company 13:5 21:10 22:1 34:16 41:10,18,20 43:3 43:6 54:13 119:4 123:3 company's 41:4
---	--	---	--	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

60:4 compare 82:11 compared 181:9 comparing 91:11 competent 89:8 198:18 complain 100:2 101:11 123:16 124:5 125:12 complained 100:9 100:20 101:21 102:19 124:9 complaining 124:1 124:2 125:18,19 complaint 65:14 66:22 67:9,12,19 69:9,18 70:1 71:24 88:8 96:16 97:24 101:13 147:9 154:5 156:5 156:8 161:18 complaints 64:5,24 65:16 66:19 68:7 69:1 73:23 89:3 95:4,19,24 96:9 98:9 99:6 131:5,6 131:16 138:1,4 144:7 complete 98:14 133:21 159:5 166:6 174:13 completion 14:6 40:20 complex 133:23,24 compliance 25:9 31:12 75:18 92:22 complicated 63:2 components 30:16 compound 48:6 74:2 87:13 170:23 computer 14:14,18 14:19,23 15:5,9 17:9,11,18,18 18:8,17,22,24 19:8,21,22 20:5 31:15,21,22 32:4 32:7 127:18 134:19 137:14 138:13 computers 32:1 conceives 133:1 concentrate 7:19 concentrated 177:9 concern 122:19 concerned 193:15 concerns 11:9	conclude 123:20 concluded 196:18 concludes 196:15 conclusion 125:6 125:17 conclusions 181:9 concordance 92:17 concurrently 14:4 conducted 91:19 conference 1:12 2:1 140:7 185:17 185:19 conferences 48:17 conferencing 4:13 conferred 14:5 confidence 93:3 175:2 conflict 116:20 conflicting 115:24 116:4,9,11 confluence 111:7,9 123:21 130:16 conjunction 164:17 connection 14:12 18:8,18 19:8 20:12 21:19 22:20 23:7 26:9,16 27:23 32:18 34:4 34:5 35:12 37:3 39:1 43:3 46:9,13 47:22 48:2 51:12 51:19 54:20 56:15 57:1,6,12,20 58:6 67:9 79:7,19 124:14 197:7 consent 5:7,23 6:4 consider 9:20 20:13 59:5,12,16 87:10 93:22 136:12 138:16 195:2,4,7 considerable 180:1 consideration 119:2 considered 46:23 55:22 56:3,9 58:2 62:2,19 117:18 122:1 181:22 184:3,4 consistent 89:7 140:12 169:1 170:18 171:24 172:24 consists 140:18 constitute 70:1 72:4	constituted 72:4 constitutes 95:6 consult 58:8 85:1 consultant 40:10 consultation 36:8 consulted 37:7 57:3 consulting 36:10 36:11 38:2,2 41:2 consumer 25:17,18 25:20 26:9,16,22 28:1,5 49:22 50:3 50:19 51:9,20 52:1,22 53:20 54:19,21 55:1,16 55:21,21 56:3,9 57:15,22 58:13 70:2,8 71:16 72:4 72:16,19,21 73:10 77:3,7 78:9 83:18 84:22 85:5 87:1 88:2 98:4 109:8 111:19 112:9 118:3,6 119:3 120:3 121:15 124:1 129:17 132:2,9,13,13,14 132:17,20,20,23 133:4,5,6 145:3,5 145:10,23 146:5 147:1,10,13,23 148:16 167:3,10 167:10,17 179:24 182:10,22 consumer's 63:12 63:17 80:18 82:2 88:1 100:3 103:10 106:15 107:7 108:21 109:12 118:18 123:17 135:18 162:5 181:20,24 consumers 56:23 113:16 123:3 130:3,22 131:8 140:3 149:16 155:13 contain 88:19 124:8 145:23 166:22 167:16 contained 66:22 72:16 77:7,24 86:10 95:21 99:16 109:3 137:7 144:13,20 168:3 170:20 197:5	contains 12:4 78:16 106:23 108:23 content 170:8 184:21 context 64:5,9,11 64:20,24 65:3,6 66:2,5,12,19 77:10,11 86:4 89:3 97:12 109:19 112:4,8,23 118:8 118:17 121:13 138:6 144:6,11,16 144:23 147:3,7,12 148:1,5,16 149:10 149:14 156:11 162:17 167:21 contexts 86:24 137:24 138:3 145:6 146:15 148:7 155:10 contingency 62:13 continue 164:5 continued 24:24 continuing 146:4 contract 71:11 114:17,17,19,21 120:11,22 160:15 160:17 186:23 contracted 157:23 contrast 88:4 control 34:6,10 158:15 173:8 197:21 controller 165:5 conversation 85:10 155:24 183:20 copy 8:5,18,23 9:3 34:20 45:23 47:8 107:16 119:18 196:8,10,11,13 197:8 198:22 corporations 20:23 correct 7:3,4 18:3 20:3 27:14,15 38:10,15,17 40:13 40:16 41:1,22 46:4,23 53:21 62:20 72:9 78:12 82:8 84:20 85:5,7 89:16 91:21 92:2 92:9 95:22 96:21 97:9 108:14 111:12 118:20,20 124:5,10,11 129:20,22 142:12 148:20,22 149:1,3	149:24 150:4 151:19 152:7,10 152:22 157:18 158:1 160:8 164:11 165:24 166:8,12,14,20 167:18,20 170:5,9 171:16 172:7,8 177:10,11,13,14 178:3 179:18 180:4,5 181:10,24 182:12,19 183:8 185:1 187:5 189:17 192:8 197:8 200:7 correctly 11:5 34:22 37:9 80:21 114:6 151:16 165:18 correspondence 53:20 121:14 123:2 127:2,3 133:2 140:2 counsel 2:11,16,18 5:6,15 9:2 10:18 29:9,22 35:16 36:8,18 52:16 54:6 84:1 89:6,9 97:5,17 126:18 154:2,13,20 155:5 155:9 156:1,16 162:4 166:14 193:14 198:20,21 count 23:20 country 140:16 counts 140:18,19 couple 7:7 68:22 73:2 143:15 163:16 172:10 191:24 192:19 course 10:18 18:9 23:5,20 94:4,18 134:10 153:7 161:10 192:22 courses 14:14,17 14:19,23 15:1,2,3 15:19,21 16:3,5 16:18 19:13 22:5 22:15,17,19,24 23:1,1,2,11 coursework 15:15 16:1,10,13 17:9 17:11 23:8,23 24:7 court 1:1,15,22,23 4:10,15,18,23
--	---	---	---	---

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

5:13 6:6 11:10 28:22 29:6,10,20 30:17,23 32:19 75:11 86:15 89:10 131:19,23 137:15 144:19 168:6 187:21 196:7 197:15 198:20,23 courtroom 11:13 32:17 coverage 174:13 Craig 141:3 created 56:22 creates 131:4,16 132:6 133:12 134:24 creating 133:1 credit 24:9,14 27:21 31:11 35:20 36:2 36:21 37:3,6,8 38:11,20 39:1,6 55:1,7,16 56:4 57:3,8,9,17 67:15 102:14 119:4,9 120:4,15 128:21 128:23 129:16,23 130:1 132:24 134:7 145:9,20,22 183:2 184:10,17 creditor 60:14 126:22 144:15 146:4 creditors 56:22 60:4,5 126:23 146:2 crisis 43:7 criteria 68:15,24 72:14 73:23 75:2 75:3,15 77:2 78:6 78:10,17 79:5 85:12,14 86:23 88:11 89:13 91:12 92:12 93:6 100:8 100:18 101:20 103:14,18 104:13 105:7,21 107:5 108:19 109:1 110:12,20 111:9 111:11,14 112:2 114:4 116:23 127:5 158:21 160:10 193:8,10 193:11 criterion 77:4,6 78:23 90:2 119:1 criticism 173:19	178:7 179:3 criticisms 172:13 criticizes 173:18 crossing 181:17 Crum 52:1 culture 136:6,7,8 current 134:19 139:4 currently 38:23 39:4 cursor 34:7 customer 60:14 customers 27:5 60:5 CV 7:2 9:19 12:5,19 20:9 25:19 28:10 28:19 40:24,24 D D 3:1 data 17:22,23 21:14 21:15 31:20 42:3 51:4,9 81:17,18 81:21,24 101:5 123:19 140:1,14 140:18 151:14 167:24 179:1,10 181:9,9 database 54:14 databases 31:19,20 date 44:4,7 49:11 198:10 200:18 dated 11:22 43:15 45:22 46:2 169:7 169:11,12 200:6 dates 151:13 David 1:13 3:3,10 3:14,16 4:5 6:7,10 11:23 196:15 199:2 200:16 day 25:5 91:8 days 33:10 198:21 deal 61:1 98:22 192:18,18 dealing 14:24 150:21 deals 32:6 decades' 48:10 December 13:21 194:18 decide 104:9 188:11 decided 42:15 43:4 decision 16:20,21 29:15 125:10 135:13 138:19	139:8 140:6 162:23 187:15 decisions 28:23 29:21 30:2 103:23 159:24 declare 5:3 decline 129:12 deemed 130:21 deeply 185:24 Defendant 1:8 2:16 define 21:12 131:19 131:24 defined 47:20 85:12 definition 64:9,10 65:3 66:21 67:9 67:19 68:6,24 69:9 71:24 72:3 72:14 73:22 74:12 77:2 79:18 124:13 144:23 161:22 190:15 definitions 30:14 67:22 68:15 75:2 79:5 110:20 definitive 133:19 Definitively 135:24 degree 13:13,14 14:3,4 15:8 25:1 112:19 degrees 14:8,13 15:12,16,22 16:7 16:24 17:4 23:8 24:2 93:20 195:20 Delhi 13:5 deliver 89:9 delivered 91:7 delivery 60:2,11 demand 73:5 96:17 98:1 132:8 146:18 147:10 154:5 161:19 demands 64:6 65:1 65:17 66:20 68:7 69:1 73:24 89:4 95:4,20 96:1,10 98:10 99:7 131:5 131:6,17 138:1 144:7 148:13 demonstrate 177:5 Denver 182:12,22 department 15:5 21:1 51:20 52:1 54:19 174:7,16 departments 20:24 depend 120:18 193:20	depended 74:15 depending 164:10 193:10,11 depends 146:16 deposed 7:3 177:17 deposition 1:13 4:5 4:12 5:24 6:5,22 7:17 8:1 10:18 11:3 34:5 38:14 38:22 45:18 49:17 122:24 138:7 167:7 177:15,20 196:15,18 198:2,3 198:11,15,21 199:2 depositions 38:24 derived 166:10 190:16 deriving 193:19 describe 52:19,20 76:15 93:6 95:14 127:15 133:2 171:5 172:19 described 54:7,9 56:14 79:21 116:16 127:9 128:10 156:17 165:16 167:14 168:8 describes 65:12,23 describing 125:17 description 3:9 54:15 73:16 106:8 128:1 163:22 164:15 descriptions 68:3 164:18 165:14 desert 180:11 design 36:22 37:10 137:6 152:19,20 188:21,23 designate 38:7 41:1 designated 30:9 37:24 designation 39:11 designations 30:20 designed 37:10 113:23 134:5 desired 176:16 despite 10:22 detail 70:13 127:9 128:12 156:15 detect 27:6 detection 24:18,21 24:22 25:3,6,11 25:17,21,24 30:24	detectors 27:18 determination 42:12 76:21 83:15 83:16 97:14 128:19 132:3 133:20 135:22 158:12,13,19 168:6 determine 55:6 66:11,22 70:6,8 72:7,21 80:6 81:14 83:10 85:2 85:16,20 86:9 96:19 97:22,23 100:19 101:21 103:24 107:6 109:2,7,12 111:22 112:7 113:9 118:17 124:15 127:6 129:15 158:23 182:24 determined 57:16 102:8 determining 72:15 77:15 85:3 103:15 104:13 105:7 108:20 110:13 166:10 develop 37:12 97:1 166:2 193:17 developed 67:1 70:14 78:20 79:1 96:24 101:6 134:3 138:19,20 140:8 159:22 165:2,7 166:13,15 developing 94:5 152:4 185:15 186:11 development 17:17 42:21,21 48:11 157:11 164:24 165:20 166:19 185:9 186:16,17 195:5 devoted 42:8 43:2 dialogue 99:11 dictionary 67:21 136:5,10 difference 81:7 114:13,15 191:12 differences 110:24 148:14 different 15:1,2 16:16 20:18 23:11 45:1,2 70:22 73:3
--	--	--	---	---

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

75:20 77:22 80:17 82:12 84:6,7,12 85:10,10 88:18 97:19 98:17 99:5 99:8,8 102:17 113:16 115:2,4 116:2,12,13,18 122:18 123:7 126:4,20 127:20 128:5 138:5 141:24 142:2 150:10 152:24 153:4,5,13 155:19 155:21 159:2 161:7 164:2 177:9 differently 25:15 differing 116:8,19 dimensions 22:22 22:22 direct 40:19 48:21 48:23 101:3,13,13 102:1,23 179:15 180:22,22 197:21 directed 88:10,23 92:19 93:5 directing 179:20 direction 35:11 56:5 65:15 70:11 73:13 74:4,7 75:13 76:21 78:21 83:23,24 84:2 90:5 97:16 102:1 104:8 110:17,19 122:10,12 132:16 132:19 162:4 directions 73:3 directly 49:3 57:9 59:4 61:11 85:5 100:2,9,9,20 101:11,21 102:19 123:16 124:2,2,5 124:10,14,19 125:1,4,4,8,15,16 141:2 172:15 director 40:9,18 185:12 directors 41:13 disagree 104:6 disagreement 115:13 discern 135:8,9 138:11 discipline 195:12 195:14 disciplines 195:18 disclosure 12:8	170:20 discover 141:8 142:23 discoverable 141:24,24 153:7 189:24 190:19 discovered 82:18 129:6 discretion 74:24 discussed 166:16 discussion 30:12 31:23,23 42:2,10 155:4,9,13 156:2 disproved 153:9 disproves 154:3 dispute 55:22 63:17 86:10,12,22 87:2 87:4,8,10,23 88:19 89:18 92:7 96:5,12,21 97:6 97:11,14,23 98:8 98:17,18 99:3,5 99:16,20 101:22 102:17 122:10,11 129:18 133:7 134:6 144:14,20 144:21 158:4 166:22,24 167:8 167:18,18 168:3,5 disputed 50:16 85:21 144:14 147:23 disputes 53:5,7 54:10,12,16 95:21 102:16 122:2 130:4 disputing 56:23 62:3,20 145:4,5 146:10,12 147:2 dissertation 14:6 distance 82:15,15 82:16 83:9,10 133:12 distant 82:20 83:8 130:16,16 132:5 182:9,21 distinguish 129:21 130:5,9,9 distributed 141:12 141:19 142:11,14 142:21 151:22 153:13 distribution 152:9 152:13 178:15 180:4,12 181:2,6 181:19	distributions 153:4 District 1:1,1 4:9,10 140:6 divergence 112:22 112:24 DL1 33:17 DL10 33:17 Doctor 6:6 177:5 doctoral 16:6,22 25:2 document 10:5,10 33:16 34:3,7,14 34:15 40:7 56:8 78:16 110:12 113:2,3 173:9 185:10 186:12 documentation 186:15 documents 8:21 9:9 46:23 47:22 48:1,13,14,24 49:2,19,22 50:2 50:12 51:23 52:22 53:15 54:1 58:4 84:11 97:18 139:15,19 149:24 150:10 154:3 184:3,4,20,22 doing 46:9,13 60:24 93:18 114:10 152:2 185:16 190:23 DOJ 174:15 domestic 25:8 doubt 10:17 dozens 186:3 Dr 6:17 10:14 12:2 33:15 34:2 40:4 43:13 45:17 47:6 75:5,9 96:3 101:1 106:12 110:5 122:4 144:3 163:14 168:16 169:15,24 173:12 177:16 184:19 191:18 192:1 196:4 draft 133:6 drawing 93:10,10 Drive 2:13 Duane 1:3 4:6 49:23 199:4 duly 6:11 <hr/> E E 1:3 2:13 3:1,8 4:6	199:4 earlier 11:10 12:2 61:9 62:7 114:8 137:9 149:19 166:9 167:6,14 172:11 186:22 196:1 early 52:18 122:24 178:14 easily 159:19 Eastern 1:1 4:10 economy 30:12 educate 192:21 education 12:20 13:10 18:20 24:17 24:18,24 27:12 194:23 educational 17:4 effect 165:13 effectively 191:1 efficiency 8:4 efficient 67:3 effort 170:12 171:5 172:18 eight 88:4,4 95:24 96:4,8,16 101:17 101:19 103:3,8 104:1,9 105:15,15 105:17 106:5,8,13 108:13 110:11 123:22 124:17 125:21 161:10 167:14 either 15:9,12,16 16:8,11,13 17:1 17:21 19:7 24:16 26:1 51:24 86:15 158:3 174:15 electronic 91:4 92:4,4,21 114:10 114:11,11,12 186:15 electronically 90:22 91:19 136:23 element 24:23 25:4 25:6 102:3,9,10 112:2 138:22,22 elements 21:14 63:4 77:15 121:11 185:22 embedded 173:15 173:15 190:11,12 embodied 73:14 78:24 emphasis 125:15	emphasizing 113:18 empirical 60:8,10 60:15 178:24 empirics 188:20 employ 114:21 employed 17:13 28:17 140:15 157:22 employee 22:9,23 employees 51:24 52:12 53:19 157:22 employer 19:7 employers 23:3,5 employment 22:21 28:12,15 encountered 53:24 53:24 endeavor 112:18 endorsing 159:11 159:13 ends 128:15 enforcement 134:3 engage 16:10 70:5 engaged 71:12 183:22 engagement 36:12 37:11 40:21 162:19 184:19 engagements 162:20 186:3 engineering 15:13 21:23,24 English 65:11 68:11,20 70:16,20 70:22 71:9 72:18 73:17 75:17,24 78:22 79:13 80:11 80:13 91:11 112:12,14 113:6 121:12 133:23 134:18 135:7 139:10 enlarges 194:4 ensure 170:12 ensures 189:6 entire 110:12 180:14 190:20 entirety 95:14 entries 147:15 entry 30:13 102:13 125:20 environment 18:12 25:23,24 26:23 27:1
---	---	--	--	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

equate 64:20	191:21	28:1,24 29:7,10	102:18 119:16,17	104:15 181:4
equivalent 120:10	examined 6:11	29:22 30:23 31:3	144:22 158:24	190:24 192:11
errata 198:5,9,10	example 49:6 67:18	31:11,15 32:10,20	fallible 139:2	193:24 194:1
198:14,19,22	67:23 69:13 92:5	35:13,19 36:1,10	familiar 7:6 185:24	finding 29:5,15,21
199:1 200:9	113:14 125:11	36:10,15 37:2,22	fancier 93:11	finds 147:14
error 47:10,12	148:1,4 190:2	38:1,2,4,19 39:6	far 82:19 83:8,9	fine 34:11 104:16
136:2 142:9 190:3	193:6 195:23	39:11 41:21,24	farther 181:19	109:14 128:2
especially 11:9	examples 68:17,17	42:8 43:3 58:22	fashion 99:21	152:16
16:19,19 115:17	68:23 70:13 73:15	59:2,5,19,24	faulty 157:10	finish 104:22
173:15 174:7	73:24 74:6 102:1	93:23 136:12	FCRA 37:20 38:16	first 3:9 6:11 10:3
186:12,17,18	105:21 108:5	138:16 169:7,11	feature 89:17,17	20:8 34:13,23
188:16	112:6 164:18	183:19 184:24	96:18,20 97:8,22	38:9 40:7 42:14
Esquire 2:3,4,8,12	exception 150:5	195:1,2,4,7	97:24 99:16,19,19	45:15 46:8,12,16
2:13,18	excerpted 140:22	expertise 30:8	102:22 104:1,9	85:6 95:5 96:22
essential 25:3	excerpts 9:1	59:17,22 94:6	106:23 108:23	109:6 111:1,18
161:15	exchange 52:19,21	138:17 139:3	109:3 111:2	118:1 119:1
estimate 175:3	98:4	194:23	117:20 118:17,21	128:22 148:24
190:17	exchanged 49:14	expertize 42:6	167:2	150:13 153:21
estimation 190:5	excluding 23:17	experts 70:17	features 72:12 76:1	162:7 164:13
190:14,15	exclusively 119:20	exposed 17:16	76:12 88:6,10	166:4,4,4 175:20
evaluate 61:16	119:20	exposure 18:16,17	89:11,13 90:6	175:21 176:13
92:16 97:6 100:14	excuse 28:21 122:4	18:21 19:3,3 21:6	93:7 95:15,19	180:9,23 181:12
125:9 144:12	131:5 142:22	extend 61:10	97:9 98:20 99:1	181:21 182:16
176:1 194:9	exemplar 159:23	extensive 10:15	99:12,14 100:15	184:7 189:1 191:1
evaluated 112:22	180:23	22:16	102:21 113:19	191:14 194:10
113:4 115:12	exemplars 160:12	extent 16:21 17:20	119:7 122:20	196:10
118:16 135:7,10	160:13	36:17 37:13 50:7	123:8 137:23	five 42:13 108:10
156:19 181:1	exhibit 3:9 9:15	60:16 70:19,19	139:19 147:16,18	108:18 142:5,8
189:3	12:3,3 43:13	72:10 74:7 75:22	149:12 164:2,6	143:18,18 167:13
evaluating 60:12,12	106:1 160:3,5	76:9 78:20 111:6	165:10 167:5	fleshed 164:16
71:16 164:1	169:2 173:6	138:18,19	168:7,7	flexible 146:22
evaluation 42:22	179:16 182:8	extra 180:17 194:1	February 150:7	FLITTER 2:8
177:4 180:24	exhibits 9:14,15,21	eyes 91:17	feel 45:22	Floor 2:14
195:14	10:4,9 168:17		fell 110:14	flow 103:9 105:19
evenly 151:22	exist 130:3	F	fewer 95:8 150:21	107:19,21,22
eventually 67:1	existed 130:24	facility 17:12 19:12	150:21	163:15,17,20
156:18	existence 146:4	19:14	fide 83:6 131:7,12	164:12 165:6
everyday 19:2	existing 162:20	fact 8:19 10:22	135:1	166:21
evidence 32:17	expand 154:21,21	60:14 70:24 72:20	field 93:23 94:2	focus 14:21 102:2,5
36:17 42:22 55:10	expect 10:23	89:5 134:23	figure 78:2 93:2	102:7,9 103:2
62:22 63:20 69:12	expectation 153:8	173:23 174:22,23	123:20 128:1,10	focused 99:2 125:3
89:21 94:4,5,19	expected 60:1,13	176:20 188:19	128:11 149:22,23	195:22
97:1 100:11,24	expensive 135:5	facts 55:10 62:22	150:2,9,13,14	follow 54:20 75:1
135:18 137:24	experience 10:16	63:20 69:12 89:21	151:4,5,7,9	79:6
evidential 31:24	12:20 21:7 25:11	100:11,23 125:24	file 92:7 100:4	follow-up 138:15
evidently 9:24	27:16 28:11,16	factual 72:6,8	123:18 133:15	155:5 170:1
99:10	48:11 60:7,17	faculty 17:14	filed 4:9 171:12	follow-ups 191:24
ex-ante 39:10	71:15 84:6,7,21	fair 27:1,2,20 31:11	files 50:13	followed 53:4 78:11
110:23 133:20	176:24 177:2	35:20 36:2,21	filing 198:15,20	165:6
175:5	185:8 186:8,20	37:3,6,8 38:10,12	filter 158:15 179:22	following 110:10
ex-post 175:4	experienced	38:20 39:1,6	final 67:2	198:8
exact 134:10	188:15 192:16	158:17 159:3	finalized 171:2,15	follows 6:12 77:14
exactly 67:6 93:2	experiences 48:16	170:7 172:9 179:2	172:5	127:3 152:20
106:24 125:16	48:16	179:6,7	financial 13:16 25:6	footnote 88:5 99:22
EXAMINATION 3:4	expert 3:10,14,15	faithfully 25:7	25:12	101:17 102:24
6:14 169:21	6:22 11:22 27:23	fall 51:4 76:23	find 44:9 67:15 92:8	141:5 156:22

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

foregoing 197:19 foreign 25:8 122:15 122:16 form 44:1 48:5 55:14,20 61:19 74:1 87:12 109:15 198:4,7 formal 19:7,22 22:5 22:13,17,19 24:7 24:23 26:19 27:12 formalize 178:18 formally 35:24 format 44:13 formula 193:16 forth 47:23 48:3 51:13 52:13 93:4 110:22 158:22 Fortran 14:21 forum 36:19 forums 41:16,16 42:24 174:6,6 found 30:9 31:2,6 31:10,14 32:19 192:16 foundation 41:7 50:5,24 52:4 62:5 62:23 63:21 four 48:10,10 68:1 68:2 76:16 87:17 102:17 110:10 126:1 131:3 181:12 Francis 2:3,3 3:5 5:20,21 6:16,18 7:16 9:22 10:6,12 11:20 12:1 19:2,5 19:19 20:17,22 21:11 22:12 26:21 28:3 30:11 32:8 32:12 33:7,14,23 34:1,21 35:22 36:4 39:12,16,20 40:3 41:9,11 42:20 43:9,12 44:9 45:12,16 47:1,5 48:8,22 50:9 51:1,3 52:10 53:17 55:12,13 58:18,20 59:11 62:6,16 63:1,14 64:2,17,21 65:9 66:4,17 67:4,17 68:12 69:20 72:18 73:12 74:13,20 75:6 76:3,18 77:17 78:14 81:13	81:21,22 84:19 86:8,17,18 87:3 87:16,18 89:15,24 90:7,12 94:7,20 95:10 96:13 98:15 100:17 101:8 102:15 103:18 104:17,21 105:2,4 106:18 107:1 109:21 110:4,18 117:12 120:21 122:8,17 127:9 136:19 139:24 143:11,12,17 144:2 145:17,18 147:21 148:3 152:6 162:21 163:1,6,7,13 168:10,15 169:15 169:19 170:3,22 182:13,23 183:9 183:13 184:11 185:3 187:3,10,22 187:23 188:8 191:3,9,23 192:20 195:19 196:2,10 196:12 frankly 193:5 fraud 24:18,20,22 25:3,5,11,15,17 25:18,21 26:8,9 26:16 30:23 free 45:23 freighted 167:21 frequencies 148:12 frequency 149:16 frequently 140:13 frivolous 55:23 56:10 58:1,2 front 9:2,2,9 11:14 12:11,13 20:2 46:19 150:6 159:20 163:17 198:15 FTI 19:18 41:2 43:17,23 44:1,4,8 44:13,22 45:5 97:2 FTI's 185:9 full 26:6 139:14 159:5 fully 197:5 function 21:2 90:22 functions 61:6 fundamental 17:19 19:1 186:20	Fundamentally 173:22 further 5:1 18:21 140:10 156:14 157:5 169:17 191:18,21 196:3 future 5:8 37:16 <hr/> G <hr/> gears 182:23 general 36:4 52:16 71:17 106:8 112:12 165:5 174:8 generally 7:6 29:12 32:21 44:12 46:2 54:11 64:15 72:23 72:23 93:12 111:24 116:4 127:15,21 141:11 141:17 174:3,20 176:9,18,22 177:7 178:8 179:4,10 187:6,17 188:22 194:12,13 195:15 generator 155:2 geographical 157:16 geographically 182:9 geographies 42:24 getting 65:8,8 133:10,10 give 7:7 11:16 20:19 34:6 68:14 75:14 125:11 148:4 158:8 given 53:19 54:15 125:8 188:13 200:8 giving 10:13 67:23 glaring 172:15 go 10:11 13:7,18 14:7 30:4,6 45:14 70:4,10 75:9 76:24 82:21 86:13 98:7,16 99:23 101:1,23 106:4 107:9 108:4 109:22 121:18 123:12 126:1 127:16,17 143:10 151:13 158:17,18 goal 141:8 goes 20:24 23:20 going 6:21 8:13,24	9:3 10:3,3,14 21:11 29:14 34:6 39:13 42:15 43:5 45:19,21 47:11 52:23 71:4 73:21 79:14 102:5 104:18 106:9 107:17,18 108:5 108:13 109:18,20 110:9 116:10,10 116:11 127:15 140:10 141:7 143:14 149:18 152:7 163:23 165:5 168:16,23 170:4 187:13 196:17 going-in 153:6 good 5:20 6:1,17 9:5,7 10:11 12:10 39:14 104:20 106:16 Gotcha 15:8 97:7 149:18 166:17 gotten 76:22 139:7 govern 67:19 graduated 23:21 graduating 17:7 18:5 22:3 24:5 granted 14:4 granular 90:5 98:20 98:20 99:20 101:5 167:1,2 granularly 101:14 101:14 graphically 128:10 great 6:17 8:19 9:18 11:19 12:18 70:13 128:18 163:19 group 53:12 75:19 146:19 186:4 groups 75:20 guess 64:22 66:9 67:3 68:5 73:19 114:23 125:7 146:4 196:12 guidance 53:19,22 58:11 68:20 110:24 160:10 164:13 guys 155:17 <hr/> H <hr/> H 3:8 half-hour 158:8 halfway 156:16	157:15 hand 132:23 171:14 handed 165:9 handing 90:1,1 handle 53:20 handled 50:12 51:4 51:8 53:16 54:11 54:14 handling 52:23 53:5 135:4 hands 46:17 70:23 120:10,11 166:7 handwriting 26:20 27:13 happen 183:23 happens 94:9 happy 7:23 hard 8:5,18,20,23 17:10 41:9 119:17 hardware 21:13 Harrington 43:21 44:18 45:2 155:3 155:4,21 180:22 Hartmann 2:13 154:15 155:16 157:2,8,15 166:14 166:16 178:5 head 73:2 heading 12:23 108:11 144:4 148:20 health 174:8 hear 11:8,15 heard 6:18 held 4:12 28:23 helping 42:16 hesitant 122:13,14 hey 69:8 highlighted 113:19 highlights 119:24 120:1 highly 135:4 hire 132:15 histograms 153:9 history 20:9,11,12 21:4,4,24 24:17 28:4 hit 153:16 hold 17:5 59:19,21 homogeneous 152:3,14 homogeneously 153:12 homogenous 152:21 hope 184:2,2
---	---	---	---	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

horizon 38:24 hour 39:13 143:14 hourly 40:8 hours 44:7 household 28:5 Houston 13:14,20 13:23,24 14:20 15:4,6 16:5 huge 140:5 human 121:16 135:12,21 136:2,2 136:3 137:18 139:9 hundred 175:13 hypothesis 154:4 156:4,6 177:13 178:1,9 hypothesized 156:7 177:8 hypothetical 77:22 147:5 178:24	implemented 19:16 implicitly 111:24 importance 120:1 important 7:8 16:20 63:5 99:12 109:20 121:16 136:6 158:12 In-House 2:18 in-or-out 78:10 inaccuracy 162:6 include 23:19 43:16 86:24 89:17 130:22 174:6 included 19:12 33:12 96:5 102:16 121:4 135:18 includes 28:11 74:7 89:18 107:5 including 122:21 176:2 178:12 192:20,20 inclusion 120:23,23 incomplete 147:5 incorrect 47:14 indent 140:13 indented 140:12,23 independent 113:5 114:17 115:4 137:21 155:8 157:19,20 158:13 independently 91:14 92:15 120:2 155:22 indicate 5:16,18 30:11 76:14 112:9 indicated 101:17 164:7 177:24 indicates 177:12 indicia 79:22 80:24 81:1,3,15 82:13 83:11 85:12 indirect 48:19 indirectly 125:12 individual 51:9 60:16 120:8,8 147:17 168:24 182:10 individually 121:12 individuals 44:18 44:22 45:4,7 55:5 66:11 individuals' 68:1 infallibly 139:19 inferences 193:19 information 58:12 131:21 162:6	initial 67:1 161:16 163:22,22 164:21 164:22 165:18 166:1 170:4 183:21 initially 38:3 154:3 initiative 185:13 inputs 138:20,21 inquire 57:14,22 inquiries 88:13 95:22 122:2 144:22 145:4,10 146:2,2 inquiry 50:16 56:22 62:3,20 63:17 82:8 85:21 86:10 87:4,9,11 88:2,19 89:18 92:7 96:5 96:17,18,20 100:3 100:21 101:12 102:18 107:8 118:7,19 123:17 125:13 134:7 144:14,21 146:11 146:13 147:24 166:22 168:3 insert 120:20 insight 190:22 insofar 78:18 106:10 Inspector 174:8 instance 52:6 104:5 113:13 instances 54:1 116:18 institutions 14:13 15:9,13,16 16:8 18:7 instruct 66:10 100:8 instructed 54:24 55:6 instruction 51:18 instructions 7:7 10:14 198:1 instructs 10:21 insufficient 192:17 194:1 intelligence 138:11 138:17 139:1,17 139:22 intended 75:14 103:20 125:10 135:9 164:13,14 194:9 intends 147:20	180:18 intention 80:4 intentionally 173:23 175:9 interestingly 176:2 internal 50:19 51:14 56:12 internally 51:19 international 13:3 Internet 130:3 Internet/telephone 197:7 interpret 74:19,19 74:24 134:20 137:15 interpreting 71:16 interpretation 74:16 76:6 82:6 82:10 90:3 101:4 115:21 120:21 135:21 139:10 interpreted 137:17 interpreting 137:19 interprets 137:20 interrogatories 49:7,8,12,13 interrupt 75:7 80:4 interrupting 98:12 interval 175:3 intervention 121:16 136:2 interview 56:17,21 interviewed 61:4 introduce 136:2 introduction 163:24 investigation 42:23 162:8 investigative 42:19 invoice 43:16,23 46:16 invoices 3:13 33:11 43:11 44:13 45:9 involve 37:20 76:6 involved 22:10 24:12,14 31:19,21 35:19,20 36:1,12 37:8,19 38:16 112:18 146:15 involvement 35:2 157:14 involves 112:20 113:4 involving 36:21,22 37:6 59:6,17	194:17 issuance 58:17 issue 96:12 111:20 111:23 112:10 117:9 118:4 151:21 162:13 166:24,24 172:9 172:12 175:10 178:14 issued 92:24 item 12:21,23 items 102:17 144:14 146:10,20 147:2 iterative 164:23,23 165:2,19
J				
Jaffe 171:12 172:4 172:10 173:19,22 174:24 175:8 176:7,20 178:1 180:1,9,18 181:8 189:16 190:24 191:6,11 193:17 Jaffe's 171:10,14 172:6 173:17 176:24 177:6 178:9,23 179:3,21 180:7,24 189:14 JAMES 2:3 January 150:7,16 jfrancis@consu... 2:6 Jim 5:21 6:18 job 100:12 Joe 185:13 John 183:19 JORDAN 2:4 journal 48:15 jsartell@consum... 2:7 judge 11:14 140:6 188:14 192:15 193:14,23 judgment 95:10 112:20,21,21 113:4 135:21 136:3 159:4 July 43:15 jump 162:2 June 34:24 35:4,15 35:18,23 37:1 38:8,18 154:17 juris 78:19 93:13,16 93:19 94:9				

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

jury 11:14 137:16 137:19 188:14 192:10,15 193:14 193:24 Justice 174:7,17	91:11 102:5 103:11 112:12,14 113:6 119:20 120:13,15 121:13 133:23 134:2,2,18 134:21 135:7 137:15 139:10 162:13	188:9 191:10 leads 175:2 learned 19:23 63:24 leave 177:3 led 46:14 61:18,23 84:8 122:22 165:20 185:13	126:16,23,24 127:1,6 132:4,6 132:22 133:6,20 133:21 135:10,13 135:14,15,17,17 135:22 137:7,19 137:20 142:20 144:5,13,15,20 148:4 159:6 160:15 164:1,17 166:21 168:2,8 180:13 187:1	180:16,23 181:17 181:23 182:3,8,11 182:11,20 183:1 184:15 186:23,24 188:5,14 189:7 190:21 191:16
K	languages 17:22 121:20,21 large 31:19 176:5 Lasater 1:13 3:3,11 3:14,16 4:5 6:7,10 6:17 10:14 11:23 12:2 33:15 34:2 40:4 43:13 45:17 47:6 75:5,10 96:3 101:2 106:12 110:5 122:5 144:3 163:14 168:17 169:16,24 173:12 177:16 184:19 191:19 192:1 196:5,16 199:2 200:16 Lasater-1 3:10 11:24 45:14 49:5 196:20 Lasater-2 3:12 33:8 33:13,15 40:6 Lasater-3 3:13 43:10,14 44:12 Lasater-4 3:14 168:11 Lasater-5 3:15 196:20 lasted 155:14 law 70:20 71:4,10 93:20 133:10 192:22 lawyer 52:17 68:19 lawyers 70:23 71:11 112:13 113:5,6 114:17,19 114:21 120:22 137:21 160:16,18 161:1 186:23 187:1 192:21,22 lay 139:7 188:14 192:18 layers 115:20 layperson 192:11 lead 38:21 leading 170:23 182:14 183:10 185:4 187:4,24	left 74:23 123:14 legal 4:16 41:16,16 71:1 93:23 94:2 97:13 112:15 132:3 139:18 140:4 193:14 lending 27:1,2 lengthy 73:14 170:9 let's 13:18 33:12,24 43:10 45:13 47:2 47:19 61:12,12 69:6,6 74:17,17 91:22,22,22,22 94:21 99:23 103:6 104:22 105:2 106:18 109:21 123:12 126:1 131:2 137:4 143:9 143:10,10 150:16 150:17 151:8,8 162:2 163:2 168:11 letter 43:14 50:15 61:19 62:1,19 63:11,16 66:22 72:12 76:10,12,14 77:7 78:2,23 79:22 80:6,17 81:4,8,12 82:23 83:5,6,16 85:16 86:10 87:8 88:1,6 89:18 90:4 96:3 96:20 97:5,22 99:16,17 100:9,15 100:19 102:8,16 103:10,15,24 104:6,9,14 105:8 106:10,14 107:6 108:20 109:2 110:14 111:2,8,18 111:23 112:5 113:9,17,19 114:12,14 115:6 116:1,5 117:2,11 117:17,19 118:2 118:14 120:2 121:1 122:3,23 123:10 124:3,8,9 124:16,17 125:12	letter-by-letter 133:14 135:8 147:17 letters 47:13 50:7 50:10,11,14,19 55:15,20 56:18 57:8,16,23 61:16 63:7,10 64:4,23 66:11 67:2 68:1,4 68:21 69:9 74:16 74:24 75:20,20 76:1,5 77:24 78:9 79:7,15 80:23 82:19 85:20 87:9 88:18 89:2,12,14 90:9,23,24 91:5,7 91:13,17,19,20 92:1,6 93:7 95:1,2 95:3,21 96:24 98:23 99:1,12 100:1,7 101:10 102:21 113:15,16 113:23 114:1,6,16 114:19,20 115:3,5 115:17,22 119:16 119:18 120:8,22 121:11,20 122:2 122:21 123:9,16 124:5 126:3,3,5 126:10,20 129:7,8 130:21 131:7,9 133:15 134:9,12 134:14 136:22 137:8,22 138:2 142:22 143:6,6 144:6,11 149:23 150:3,3,24 151:17 151:21 154:2,6 155:1,7,11,17,17 155:22 156:1,8,18 158:4,8,21,23 159:18,23 161:17 161:17 165:10 177:8 179:23	lexicographic 71:13 liability 28:13,15 library 48:12 lie 27:18 lieu 5:2 life 84:12 light 11:9 likewise 24:2 56:21 limit 42:10 limited 63:23 line 12:21,23,23 199:6 lines 9:8 181:18 linguistics 16:11,15 17:2 24:7 31:4 65:9 70:18 71:2 112:16 136:18 Lisa 43:20 44:18 list 47:12 147:18 listed 38:14 40:8 literature 176:9 litigation 25:23 26:12 28:11 32:5 32:6 34:24 35:3,6 41:2,5,21 42:8,18 43:4 94:5,19 126:19 127:22 131:21 135:19 139:12 167:22 little 8:21 39:13 70:22 73:21 102:6 122:18 123:6 lived 84:10,11 living 84:14 LLC 1:7 2:18 4:8 199:4 LLP 2:12 loans 26:24 located 181:10 location 81:9,10 locations 82:19 182:3,5 Logility 71:21,22 111:4 114:22 157:23,24 158:18 long 20:10,11 28:4 36:20 66:15 99:11 99:11 142:12,13 142:13 151:11
L				
label 126:9,10,11 labeled 33:17 lack 41:6 50:4,24 52:3 62:4,5,22 63:21 77:12 language 14:21,24 16:18,19,21 21:19 61:23 65:12 68:11 68:20 70:16,20,22 71:9 72:18 73:18 75:17,24 76:15 77:11,12 78:22 79:13 80:11,13				

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

154:18 Looby 185:13,14 look 47:19 54:24 66:24 69:8,14,15 69:15 73:20 78:1 87:16,24 90:16 101:24,24 102:21 104:3,4 105:20 106:18 118:1,8 119:6,11,14,15,16 119:17 120:1,7,24 121:19 127:12,24 127:24 133:17,18 134:6 148:8 150:16,17 151:8,8 158:8 180:22 184:1 looked 78:9 97:8,9 115:16 137:6 143:7 153:15,16 155:16 160:1,9 178:13 181:8 184:8 looking 26:8,15 27:1 45:19 69:16 93:9 100:7 103:5 109:18 111:12 126:13 133:20 135:21 148:19 180:10 194:18 looks 107:19 169:5 lore 175:17 lot 17:16,16 29:23 42:19 51:9 78:13 82:19 94:6 167:21 186:14 lunch 104:24 110:6 Luncheon 110:1 Lynne 52:2	main 164:4,4 maintained 162:7 maintenance 21:14 21:17 32:13 33:1 33:5 major 186:13 majority 180:15,16 making 25:6 63:1 65:18 118:18 146:18,19 147:10 198:7 malleability 134:18 manage 40:19 management 21:14 managing 40:9,18 41:13 185:12 manner 5:9 manual 12:5 69:16 70:14 73:14,20 78:24 79:1,4 90:18 92:20,23 93:7 101:24 103:9 103:19 104:5,8,12 105:6,16,18 106:3 107:10,13 110:7 110:12,22 111:10 159:19,23 160:1,6 160:9 164:8,19 165:1,9,21 manually 91:17 118:16 manuals 51:15,17 map 180:10,14 March 11:22 45:22 46:2,5,15 48:4 51:13 52:14 56:16 57:2,13,21 58:7 58:17,21 59:1 170:5,20 margin 142:9 marginalia 8:9 mark 10:2,3 11:22 33:8 168:11 marked 33:15 196:21 marker 85:13,15 market 2:4 139:21 marketing 23:17,19 194:13 195:3,7,8 195:10,11,12,16 195:21,23 marketplace 185:11 markets 13:16 master's 13:14 14:1 14:3,4,9,9 16:5,22	23:14 25:1 material 48:21 materials 79:3 85:1 mathematics 188:19 matter 5:4 35:7,16 36:24 37:3 44:23 45:3 78:10 126:19 131:21 135:19 142:22 159:13 194:24 197:4 199:4 matters 36:21,23 37:19,21 38:16 42:9 43:7 59:6,17 82:15,16 McCabe 141:3 McNew 44:18 45:1 mean 18:10 34:22 47:16 48:14,14,24 57:9 58:16 60:10 60:10 80:3 81:21 81:23 82:1,9,17 83:24 91:3 94:2 95:11 98:17 99:8 113:2 131:12,15 131:18,22 132:10 132:12 136:8 138:3,4 143:2 147:11,11 157:3 165:18 175:11 180:15 meaning 74:9 93:10 125:2,9 133:24 134:20,20 135:8,9 138:11 167:21 meaningful 150:22 means 27:7 59:15 138:14 197:21 meant 57:11 measurement 190:6,8 Medicaid 174:17 Medicare 174:10,17 meet 67:8 member 52:15 members 50:21 56:18 58:1 61:17 61:19 122:21 123:10 184:16 members' 79:7 memory 150:8 155:1 185:21 memos 51:18 mention 28:20 123:24	mentioned 17:1 18:15,16,19 22:21 42:1 70:15 77:4 85:13 114:8 149:21 194:7 mentioning 8:17 121:5 met 83:11 method 109:11 114:10,12 methodologies 13:16 190:11,13 methodology 146:22,22 170:19 172:13 173:17,18 174:5 190:9,17 methods 13:17 89:7 92:18 Michael 2:12 6:2 44:19 michael.oneil@r... 2:15 Michigan 17:15 miles 83:12,18 84:3 84:5,5,8 85:3 180:3 181:6,19,23 182:21 MILZ 2:8,8 mind 143:14 169:24 mine 20:18 minutes 39:18 104:18 143:16 155:14,19 158:8 163:3 192:2 194:8 misread 175:8 misreads 173:23 misrepresentation 26:1 misrepresentatio... 26:6 27:6 misrepresenting 176:8 missing 12:18 13:8 misspoken 80:2 misstate 101:15 misstates 77:9 84:18 88:21 122:7 185:4 misstating 137:2 mistake 164:12 184:4 misunderstand 175:9 misunderstanding 157:10 misunderstands	173:22 misuse 173:17 189:13 model 153:2 mono 65:19 monolithic 65:20 65:21 161:18,23 162:1 month 150:4 151:4 months 23:6 26:18 150:14,18,19 Moore 141:2 morning 5:21 6:1 6:17 8:9 9:14 morphos 98:3,9 mortgage 26:9,16 mortgage-backed 25:23 26:12 mortgages 26:2,3 26:24 mouse 34:6 move 45:18,21 184:12 187:11 191:4 moved 166:6 moving 159:21 161:14 multi-category 175:22,23 194:5,6 multiple 137:24 138:3 145:4,6,6 146:10,15 147:2 147:15 148:14 149:9,12 176:1 194:18 195:24
<hr/>				
N				
<hr/>				
N 3:1				
name 4:14 5:17 6:18 53:2 126:21 140:15 160:20 161:3,12 198:10 named 13:4 49:23 183:19 185:13 names 30:20 131:8 160:17 Narberth 2:9,9 narrative 66:14,16 67:11 81:6 national 60:21 nature 6:4 36:4 39:9,9 146:16,17 147:8 Navy 194:17 near 129:6 181:3 nearest 180:11,11				

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

181:18 nearly 126:10 necessarily 141:17 141:21 necessary 40:20 72:11 82:7,10 152:12 163:23 176:3 179:8 need 7:18,24 61:1 74:11 75:10 103:17 104:4 120:1 135:12,17 135:20 198:17 needing 121:11 neither 4:21 never 21:15,16 38:10 92:9 104:15 119:3,8 120:3,14 new 13:5 19:15 157:12 newly 8:8 9:14 nine 193:10 non-response 189:3 194:10 non-responsive 184:12 187:11 191:4 non-wide 95:7 Norman 1:3 4:6 49:23 158:5 199:4 Norman's 158:23 normative 117:15 118:2,24 North 2:9 notary 1:16 197:15 198:17 noted 182:8 198:8 200:9 notes 8:9,14,16 197:6 notion 102:23 nuance 68:19 70:16 71:9 112:15 number 76:17 77:24 78:7 84:4,5 85:20 86:2,6,7 87:9,16 88:18,24 99:23 103:7,8 106:19 107:3 108:9,10,11,13 111:17 124:15 129:12 150:3 155:2 161:24 162:1 175:6 189:22 194:4 numbers 78:12	89:6 149:3,4 165:23 numerical 108:3 numerous 10:8 O O'Neil 2:12 3:5 6:1 6:2 18:23 19:9 20:15 22:6 31:17 32:22 34:18 39:12 39:19,21 41:6 43:15,24 48:5 50:4,23 52:3 53:6 55:9 58:14 59:9 62:4,21 63:19 64:13 65:5 66:13 67:10 68:8 69:11 74:1 75:4 76:8 77:8 81:5,19 84:17 85:22 86:11 87:12 88:20 89:20 90:11 93:24 94:10 96:6 98:11 100:10 100:22 102:11 104:17 105:1 109:15 110:15 117:3 122:4 136:14 143:11,13 143:19 145:12 147:4 151:24 154:15 155:16 157:2,8,15 162:14 163:4,7 166:14,16 169:23 170:24 173:3,10 182:15 183:12,17 184:13 186:21 187:8,12 188:3,10 191:5,17 192:1 195:9 196:4 196:8,9 oath 5:2 170:17 171:20 172:23 object 42:22 117:3 objected 187:23 objection 10:19,23 18:23 19:9 20:15 22:6 29:22 31:17 32:22 34:18 41:6 48:5 50:4,23 52:3 53:6 55:9 58:14 59:9,10 62:4,5,21 63:19,20 64:13,14 65:5 66:13 67:10 68:8 69:11 74:1 75:4,5 76:8 77:8 81:5,19 84:17	85:22 86:11 87:12 88:20 89:20 90:11 93:24 94:10 96:6 98:11 100:10,22 100:23 102:11 109:15 110:15 122:6 136:14 145:12,13 147:4 151:24 162:14 170:22 182:13 183:9 184:11 185:3 187:3,10 188:8 191:3,9 195:9 objections 5:8 objective 64:10 68:6,9,15,24 71:24 72:3,14 73:22 74:21 75:1 75:3,15 76:2,11 78:6 81:3 83:10 88:11 89:13 90:20 91:12 95:15 98:24 100:8 103:14 104:8,13 109:1,11 110:21 112:1 122:16 134:17 135:6 175:7 176:6 objectively 81:16 81:17,18,24 82:3 95:6 135:10 observation 131:4 131:15 133:12 observations 175:13 observe 146:23 observer 139:7 obtain 57:7 130:23 obtained 14:13 75:23 140:19 Obviously 145:13 occasionally 7:20 42:5,5 occasions 161:7 occurred 111:1 occurrence 141:9 occurs 26:21 OCR 186:15 October 150:8 offer 30:23 137:23 137:23 185:1 offered 18:12 19:13 23:2 139:17 Office 174:8 official 5:12 Oh 21:21 26:18	47:10 84:3 108:5 142:10 158:20 177:19 OIG 174:15,17 okay 7:5 10:2,10 11:3,10,19 12:11 12:18 13:1,7,9,18 14:1,7,12,17 15:2 15:8,15 16:1,7,24 17:7 18:2,5,15 19:6,20 21:18 22:3,13,19,24 23:4,7,11,15,18 23:21 24:12,16,20 25:10,16,19 26:7 26:14,19 27:8,16 28:7,10 29:3,19 30:3,22 31:14 32:15,18 33:7,23 34:2,22 35:2,6,10 35:15 37:1,5,18 38:8,13,18,23 39:4,20 40:17,22 41:12,14,20 42:7 42:14 43:1,9,13 43:22 44:2,16 45:4,10,10,12 46:8,18 47:1,19 48:1 49:2,6,19 50:2,10,14,18 51:2,12,17,22 52:11,17,24 53:18 54:5,9,17,23 55:19 56:1,15 57:1,11 58:6 59:12,16,21 60:18 61:12 62:17 64:3 64:22 66:5,18 67:18 68:22 69:3 69:24 70:6,24 71:4,8,19,23 72:7 73:1,4 76:4,19,24 77:22 78:6 79:3 79:10 80:3,15 81:3 82:6,16 83:1 83:13,21 84:14,24 85:8,19 87:6,19 88:12 90:8,13,19 91:2,16 92:24 95:18 96:2,14,19 99:4,23 101:19 102:4,16 103:5 104:2,11 105:1,11 105:17,22 106:2 106:12,19 107:2 107:11 108:5,8,16	108:24 109:7 110:19 111:11,16 112:7,17 113:7 114:3,9,23 115:9 115:23 116:18,23 117:13,21 118:10 119:13,23,23 120:3 121:2 122:18 123:6,12 123:12,12,23 124:7,12,23 125:11,23 126:8 126:13 127:11,19 127:23 128:2,2,7 128:13,18 129:2 129:20 130:1,11 130:19 134:11 136:1 137:4,11 141:4,16 142:15 142:19 143:4,9 144:13 145:9,19 145:19,22 146:8 146:14 148:10,19 149:8,18 150:2,9 150:23 151:3,8,16 151:20 152:16 153:18 154:13 155:15 156:4,12 156:13,14 157:1 157:14,19,24 158:7 159:21 160:5,8,13,23 161:4,7 162:22 163:1,19 164:3,9 164:20 165:17 166:17,20 167:4 167:16 169:13,15 177:18,21 181:14 182:23 187:9 188:4 192:24 193:23 194:22 195:6 old 48:10 omitted 125:1 once 19:10 26:11 31:18 32:11,23 37:23 42:10,11,11 51:3,3 58:3 63:22 70:2,10 71:7 72:17 73:12 80:9 95:23 99:9,18 101:23 102:20,20 112:11 115:16,16 118:14,24 120:7 120:20 122:6 125:14 132:1
--	--	---	---	---

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

138:6 139:16 145:7 168:4 176:4 178:6 181:16 ones 17:5 77:20 122:21 172:15 online 129:18 130:23 opened 157:12 operation 56:13 59:20 62:14 operations 56:12 operators 60:23,23 opine 94:8 opined 58:22 59:2 opining 93:16 opinion 51:13,13 94:23,23 95:20 96:2 99:23 101:9 123:14,24 125:24 126:1 130:20 131:3 168:1 173:16,21 176:23 179:18,20 180:7 182:7 opinions 48:3 52:13 93:3 94:22 123:13 126:15 159:7 170:13,14 170:18,19 171:5,6 171:13,22,22,24 172:1,11,14,19,20 172:24 173:1,11 173:14,16 185:1 188:5 189:16 opportunity 172:6 opposed 60:8 opposing 29:22 optical 192:12 optics 188:17 189:9 192:8 optimal 175:6 order 8:14 13:18 80:5 108:3 113:9 117:1,22 118:12 118:17 130:17 135:13 158:16 175:7 ordinary 136:9,10 organization 24:10 24:14 55:8,17 56:4 57:10 129:17 organizations 22:10 55:2 57:4,8 57:18 128:21,24 130:1 183:3 184:17	original 131:14 132:7,11,12 133:7 156:10 171:10,18 172:3 174:1 193:7 198:19 originally 126:18 originated 183:2 184:16 originating 133:3 originator 132:21 others' 166:7 outline 104:12 outlined 27:24 54:18 76:15 79:5 114:4 outside 76:21 113:14 overarch 68:2 overarching 61:20 68:3 98:23 overview 88:14 <hr/> P P.C 2:3,8 p.m 109:24 110:3 143:22 144:1 163:9,12 196:16 196:19 packages 127:21 128:5 page 3:2,9 12:14 20:8 28:7,10 29:5 30:8 40:7 44:16 45:20 47:2 61:12 94:21 107:2,23,24 109:6 110:10 111:18 114:5 128:15,15 131:3 140:11 141:7 143:10 144:4 148:22 153:24 159:22 161:14 162:2 168:22 169:1 182:16 199:6 200:1 pages 12:14,16 28:19 38:14 43:14 44:2 105:10 107:20 108:11,19 110:10 114:5 148:14 168:24 paid 21:9 157:24 paper 7:20,22,24 9:3,10 45:23 175:15 papers 185:16	paragraph 47:7 61:13 78:15 79:14 79:21 88:15 128:16 140:12 141:7 142:19 143:7,9 149:22,23 150:2 154:1,10,14 156:14 157:5,12 157:16 159:21 160:2,14 161:15 162:3 176:11,14 179:15 182:8 paragraphs 121:13 128:11 Paralegal 2:20 pardon 111:6 parent 13:5 part 9:19,21 14:20 16:21 23:2 24:22 37:13 42:11 50:7 50:13 51:5 60:2 105:15 106:7 132:2 140:7,9 145:2 153:18 156:9 157:7 165:3 175:16,17 181:21 participating 4:20 particular 9:1 28:24 33:3 36:11 59:22 61:19 74:8,9 78:23 82:7,7 86:5 88:24 90:16 94:15 102:2,2,9,9 104:14 105:8 127:3 130:7,8 149:15,15 162:18 172:12 177:5 189:2 particularized 60:19 parties 2:1 5:6 13:3 party 35:8 patent 32:5 pattern 127:4 pausing 28:3 pay 10:20 196:10 196:12 Peck's 140:6 penalty 5:5 11:17 Pennsylvania 1:1 2:5,9 4:11 52:2 people 40:19 99:8 115:7 percent 42:13 97:2 100:2 101:10 123:15 124:4,15	126:3 140:18 142:5,8 156:18 157:6 180:16 182:11,22 percentage 41:4,17 42:7,17 43:2,8 130:21 180:2 181:22 perfect 9:18 performed 46:22 66:10 70:7 148:18 154:22 performs 21:1 period 85:24 95:4 100:4 126:5 140:19 141:13 142:23 150:10 151:10 156:21,22 161:19 162:9 176:19 periodic 176:17 178:16 179:13 190:1 periods 149:24 150:11,15 174:19 177:9,10 perjury 5:5 11:17 permissible 106:11 permission 120:4,9 120:14,14 121:4,5 person 5:2 52:20 52:24 54:7,9 59:13,15 111:4 116:15 140:15 146:9 161:5 person's 161:3 personal 7:17 persons 26:5 115:1 115:2 perspective 130:18 149:13 perspectives 131:8 pertain 49:23 149:4 151:11 pertained 50:20 pertains 32:24 135:16,16 Pertinent 86:20 Ph.D 1:13 3:3,11,14 3:16 4:5 6:7,10 11:23 13:15 14:4 14:5,10 17:8 18:6 22:4 24:6 196:16 199:2 200:16 Philadelphia 2:5 phone 13:4 140:16	phrase 7:21 92:6,8 106:14 121:4 phrases 90:17 physically 4:22 picking 144:3 piece 7:21,24 55:6 81:17 127:2,2 pilot 156:21 166:4,5 pilots 166:10,13 place 25:15 140:23 places 84:12 plain 7:19 plainly 176:7 plaintiff 1:5 2:11 5:19,22 6:19 28:2 28:17 49:23 158:5 platforms 17:21 play 103:1 players 134:1 please 5:15,17 7:10 13:11 15:24 33:8 35:21 58:24 72:24 73:2,7 75:6 77:5 86:19 98:11,16 133:6 144:18,18 144:19 168:19 Plintron 13:6 point 11:3 24:16 26:7 36:11 60:22 76:13 105:5 111:17 113:17 139:7 141:21,22 166:6 171:9 172:2 172:3,3 185:8 191:7 pointed 111:17 points 131:7 135:1 172:10 policies 56:12 policy 51:15 polygraph 27:17 population 53:24 61:16 95:2,3 113:23 129:7 141:10,11,13,19 141:22 142:17,21 144:5 152:15 153:1 154:6,24 176:18 178:19 180:2,8 181:10 188:14 190:17,20 193:19,21 194:21 populations 174:9 portion 74:14 86:20 130:11,13 portions 130:20
--	--	---	--	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

170:4 posed 77:3 position 185:15 possible 37:16 71:20 postal 58:9,12,23 59:3,6,14,18,20 60:20 61:5,11 84:6,8,23 85:2 180:3,3,12 181:2 181:2,5 postmarked 182:9 182:12 postmarks 182:6 potential 27:5 81:11 164:2 potentially 103:3 179:23 practice 7:17 45:2 48:9 78:18 93:13 93:18 94:16 176:19,23 177:7 178:8 187:7,17 195:16 practices 41:15 179:5 precede 30:20 110:11 preceded 111:10 preface 36:20 prefer 8:19 preliminary 154:1 premise 141:20 preparation 25:12 42:20 56:16 57:2 57:13 58:7 prepared 170:11 171:4 172:17 presence 78:7 118:11 120:13 present 2:1,17 4:22 36:18 81:15 95:3 113:8 148:5 presented 25:7 51:10 54:16 61:1 98:24 156:1 presenting 20:2 presume 80:18 presumed 79:12 presumption 80:22 82:13 printed 8:8 9:14,22 93:9 prior 17:14 35:3,8 35:15,18,23 37:1 38:8 52:13 58:16	58:21 59:1 71:15 88:21 124:12 162:19 185:4 privileged 36:8,9 38:2 probabilistic 185:19,23 186:6 probably 20:4 23:20 26:18 42:12 47:10 155:14 161:9 162:19 problem 8:14 procedure 51:15 procedures 53:3 54:20 proceeding 4:17,21 4:24 proceedings 197:4 process 7:6 8:11 38:21 53:4 54:8 54:10,18 91:11 93:8 112:18 123:4 125:10 127:8,8,14 128:8,8 140:4 154:21 158:16,18 159:12,13,17,24 161:10 163:23 164:5,14 165:2,5 processed 112:13 138:20 processes 53:12 58:13,23 103:23 123:1 139:18 processing 17:23 31:20 54:21 60:20 60:24 61:2,7 181:18 185:10 produce 88:23 product 28:12,15 production 186:12 professional 1:15 13:15 14:10 18:12 24:13 139:8 197:15 proffered 29:9 program 14:21 16:4 16:6,22 17:17 18:8 23:14 25:1,2 25:2 133:17,18 134:21 programmed 137:14 programming 14:22 17:16,19 21:19 127:18 programs 23:3	promptly 198:20 proper 91:12 proportion 141:9 141:11,18 proportions 140:11 proposed 190:18 proposing 189:22 propounded 200:8 protocols 140:7 proves 191:1 provide 30:14 41:21 43:5 62:13 68:18,23 81:10 90:4 91:9 103:21 156:15 179:9 provided 16:19 33:16 79:9 89:6 92:14,14,16 111:14 112:6,24 151:15 198:12,17 provider 13:4 provides 73:15,16 174:13 providing 110:23 134:13 provision 21:12,13 prudence 78:19 93:13,16,19 94:9 psychology 15:17 15:22 16:2,8,18 22:5,20 23:5 public 1:16 197:15 198:17 published 175:16 pull 43:10 120:4 pulled 151:17 punctuation 77:14 pure 32:3,6 purported 79:23 81:9 purportedly 6:23 purpose 106:11 163:21 174:11,11 purposes 49:4,4 72:11 80:16 126:19 152:1,4 178:12 193:18 put 8:24 33:24 34:3 43:8,13 45:24 47:2 60:15 62:9 78:2,3 100:15 116:1 126:9,9 137:22 173:4 193:6 putting 18:20 35:6 35:10 49:19 51:22	91:12 125:15 <hr/> Q qualified 28:23 29:6 29:21 30:10,22 31:2,6,10,14 32:9 59:23 184:24 quality 31:24 111:4 113:1,2 115:21 116:13,15 121:22 121:23 158:15 160:16,20 161:2 165:4 185:22,22 186:4,19 187:7 197:7 quantify 89:12 quantitative 13:17 89:7 130:18 149:13 queries 134:14,14 query 90:22 91:4 113:22 134:5 136:23 137:6 167:17 question 7:9,10,12 7:18,20,21 10:24 11:7 21:1,8,22 27:2,10 29:14 32:11 34:13 35:21 36:4,20 41:9 47:6 58:24 61:24 64:22 64:23 65:2 67:8 68:5 69:21,24 72:2,16 73:6,11 73:19 75:8,11 76:5 77:3,7,16 78:8,14 79:20,20 80:5 81:2 82:22 82:22 83:5 86:15 87:6,20,21 88:8 88:16,21,24 89:1 95:5 96:17 97:24 98:16 99:3 104:4 104:22 108:18 109:9 119:12,22 121:1 122:15 123:5,23 124:1 126:24,24 128:22 129:1 130:14 132:8,15 134:17 136:17 137:1,13 138:15 144:18 145:2 146:13,17 146:24 147:1,9,23 150:13 152:8 154:5 156:10	161:19 164:20 166:21 167:10,17 178:4 183:4,15 187:14 189:12,14 190:7 question's 123:6 questions 8:15 12:9 34:8,11 64:5 64:24 65:17 66:20 68:7 69:1 72:13 73:23 79:16 89:4 95:4,19 96:1,10 98:10,13 99:7 123:15 131:6,17 138:1 144:7 148:13 163:16 164:9,21,22 165:12,20,21 166:2,9 167:16 169:17 170:1,8 171:1 192:5 194:22 196:3 200:8 quick 47:6 143:15 163:16 191:24 quite 146:24 quotation 140:24 quote 103:9 141:2 180:1,4 <hr/> R R 30:19 raises 83:4 random 95:1 100:1 101:10 141:10,17 150:22,23 155:2 176:14,16,18 189:5 195:15 196:1 randomly 154:3 155:1 ranging 42:23 rare 38:4,6 rate 40:14 141:9,12 141:18,23 142:2 142:14,16,20,23 152:2,3,14,21,24 178:15 189:24,24 rates 40:8 153:16 178:2 Rayne 2:20 11:21 33:7,23 34:3 43:9 45:12 47:2 106:19 168:11 read 34:22 50:10 74:18 75:11 86:15
--	---	--	--	---

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

86:19,21 91:14,14 92:1 93:5 97:5,18 111:8 112:14 114:16,21 121:11 125:4 135:13 144:19 155:3,17 155:22 159:18 160:15 176:13 177:15,20,22,22 178:7 198:2,3 200:6 reader 2:18 52:6,11 70:7 90:1 99:9 104:9 160:16,21 161:2 165:8 readers 99:1,14 116:16 157:19,21 158:13 163:24 165:4 reading 67:1,2 68:21 78:21 91:11 104:6 111:2,10 113:6 116:19 120:18,22,22 137:22 154:1,9,9 154:16,18,20 155:6,8 156:15 157:4,7 159:5,24 164:16,17 198:1 reads 79:15 111:18 144:5 ready 10:11 real 84:5 really 19:3 41:8 106:9 reason 123:23 198:4,9 199:6 reasons 188:13 189:9 192:7,10 rebuttal 3:14,15 168:12,13,18 169:2,7,10 171:2 171:6,13,14,15,18 171:23 172:5,7,16 172:18 173:1,5,12 176:12 179:14,16 183:23 184:5,15 recall 28:4 46:8 53:1 127:11,12,14 151:12 162:16 182:7 183:4,6 184:14 192:5,13 receipt 172:3 receive 15:8,12,16 15:22 16:7,24 24:17 198:21	received 19:6,20,23 19:24 25:16 26:19 33:9 45:9 53:11 60:13 61:16 151:21 171:9 178:6 184:6,6,7 recess 39:24 110:1 143:23 163:10 recognition 180:15 recognize 43:22 177:3 recognizing 60:11 recollection 28:9 28:18 35:9 49:15 54:16 161:3,4 183:13 recommendation 104:23 record 4:2 5:15 10:19 13:10,11 39:21,23 40:2 56:2 83:13 86:21 109:24 110:3 122:7 127:23 128:13 140:17 143:20,22 144:1 163:5,9,12 169:6 196:17 recording 4:17 records 50:20 51:22 198:23 recursive 15:1 138:24,24 redundant 54:1 Reed 2:12 35:12 61:14 refer 50:14 reference 25:20 28:10,20 29:5 44:17 47:7 102:13 125:20 126:8 156:4 160:15 referenced 3:9 30:8 56:18 70:7 references 29:2 103:8 174:24 179:17 referencing 105:6 157:20 referred 110:7 157:21 referring 12:3 18:2 21:3 30:19 50:15 105:18,18 128:14 156:12 160:6 189:20	reflect 64:4,23 79:15 80:24 89:2 96:9 126:4 131:7 144:6 156:10 161:17 174:21 reflected 46:11,16 74:10 75:18 99:13 103:3 112:5 132:21 144:16 146:3 150:4 153:19 165:13 175:18 reflecting 88:7 reflects 80:6 82:18 175:4 refreshing 183:12 regard 21:22 53:4 78:8 172:11 regarding 58:12 59:13 95:20 110:20 156:15 168:1 regardless 59:23 121:7 regions 84:6,8 regularly 25:18 41:17 regulation 134:4 regulations 25:9 reinforce 165:11 relate 130:20 related 128:20 relates 25:11 42:17 relation 16:17,17 36:23 95:17 193:2 relations 22:9,23 49:22 50:3,20 51:20 52:1 54:19 57:15,23 relative 174:17 relatively 175:12 relevance 85:3 126:13,14,15,17 relevant 144:10 180:20 reliability 196:1 reliable 192:11 reliance 48:19,21 48:23 59:4 relied 48:2,8,19 49:3 rely 123:19 relying 159:8 remaining 181:17 remember 146:6 161:12 183:14,15	remote 1:12 4:4 5:24 6:4 remotely 4:13,17 4:24 render 46:5 95:20 135:13 rendered 45:5 rendering 48:3 51:12 52:13 159:8 repair 24:9,14 55:2 55:7,16 56:4 57:3 57:8,9,17 128:21 128:24 129:17,24 130:1 183:3 184:10,17 repeat 86:16 repetition 189:6 replace 66:8 139:9 reply 172:14 173:21 179:17 report 3:10,14,16 6:23 9:20 10:2,3,4 11:22 36:19 37:2 37:4,6,16 43:5 45:15,22 46:2,6 46:11,15,22 47:3 47:7,23 48:4 51:14 52:14 56:17 57:2,7,13,21 58:7 58:17,22 59:1 61:13 70:8,12 79:5,19 80:16 82:18 85:6,9 92:24 102:14 103:1,2 110:8,11 111:13 116:17 126:19 127:10 128:11,12,14 129:21 130:8,11 130:14 131:1 132:24 134:7 144:4 145:10,20 146:10 148:9,22 153:9,10,18,20,21 157:11 158:22 162:3 163:15 165:16 168:12,13 169:3,5,7,11 170:4,9,11 171:2 171:4,7,10,13,14 171:15,18,19,23 172:1,4,6,7,16,18 172:20 173:1,5,12 174:1 175:21 176:12 177:12 178:7,13,21 179:5	179:14,16 181:21 182:16 183:2,20 183:21,24 184:5,8 184:9,15 189:14 193:7 reported 86:6 170:13 reporter 1:15 4:18 4:23 5:14 6:6 11:10 75:12 86:16 144:19 158:16 187:21 196:7 197:15,23 Reporters 1:23 reporting 1:22 4:15 4:24 5:9 27:21 31:12 35:20 36:2 36:22 37:3,7,8 38:3,11,20 39:2,6 41:16 159:17 198:23 reports 6:24 8:3,6 8:18,24 9:11,15 9:17 37:12 38:19 38:19 145:23 168:18 184:6,7 represent 5:18,22 44:12 51:8 159:14 representation 25:14 representations 26:5 30:18 representative 158:4 181:12 194:15,20 representative... 178:18 represents 6:19 61:14 reproduction 197:20 require 97:10,10,13 98:2,2 137:16,16 198:20 required 30:17 113:12 117:1,7,22 118:11,22 requirement 118:1 152:12 requirements 31:22 research 13:16 reserve 196:6 resided 83:18 residential 26:11 resolution 115:13
---	---	---	---	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

resolved 111:3 133:13 respect 8:3 22:8 25:13,13 26:5,11 26:22 27:2 31:23 33:3,4 41:24 42:3 52:22 56:12 60:1 60:11 61:8,8 62:7 62:13 63:5 67:15 67:21,21 68:10,20 70:13,21,21 74:5 76:1,22 78:22 89:9,23 90:5,16 93:12 94:3,12,12 97:6 103:1 110:23 111:1,8 112:22 113:6 115:12 118:5,18 120:23 122:11 123:2 125:5,17 139:10 140:4 146:19 147:14 148:7 155:5,6 159:4,4 159:16 173:16 174:9,13,19 176:10 178:14 181:11 182:5 185:21 186:4,18 187:19,19 188:1,2 188:23 189:7 190:2,7 191:14 193:7 194:6 respond 173:20 responded 179:3 response 63:11 responses 49:7,8 49:12,12 responsive 78:16 78:23 responsiveness 139:18 186:11 rest 181:7,7 result 159:12,17 161:15 results 86:6 92:14 92:14,16 142:18 170:19 178:22 181:14 185:6 189:1 191:13 resume 12:7,8,19 20:8 25:20 27:24 38:15 40:24 47:8 retained 34:23 35:24 37:22 38:1 38:1 39:5 61:14 183:18	retention 3:12 33:9 34:16 36:5,9 38:9 39:9 40:5 42:2 retentions 36:7 37:23,24 38:6 39:11 Return 198:19 review 7:2 49:6 51:14,17 76:5 92:18 112:19 159:11 165:19 167:24 172:6 178:18 183:23 184:20 reviewed 47:22 48:2 49:16,21 50:2,19 56:19 57:17,24 113:24 114:7,19 115:6 122:2,22 168:2 reviewer 68:14,15 68:17 69:7 72:7 74:5 76:13 78:1 81:14 92:11 100:7 100:12,13,14 107:6 109:2,18 111:1,22,22 113:9 116:5,6 120:19 121:6 164:11 reviewer's 101:6 reviewers 68:19,23 70:11,15,17 71:1 71:5,14 72:15 73:13 74:23 75:14 76:7 77:18 78:21 79:2,6 83:15 85:15 90:8,21 91:8,15 92:1,3 93:2,5 100:19 103:19 110:13 111:3 112:18 115:14,24 116:8 116:21 119:2 120:12 159:9 165:22 187:16 191:16 reviewers' 74:15 103:23 reviewing 66:11 91:16 186:23 187:1 reviews 115:4 right 8:5,12 10:13 11:12,20,21 12:6 13:9 14:2 20:24 21:22 23:7 37:20	37:22 38:5,11 40:15 45:21 46:6 47:14,16,19 49:16 57:20 60:7,21 64:3,18 66:1,18 66:18 69:6 71:23 76:24 77:18 78:4 80:8 82:3 83:9 85:11 89:19 92:5 94:21 102:4 105:9 105:19 108:6 109:21 110:5 117:15 118:10 119:7,13 123:10 125:23 129:9 131:2 133:17 136:20,24 140:10 141:7 142:9 143:4 148:24 150:11,24 153:24 155:23 157:17 158:3 160:6,14 161:14 161:22 162:2,12 163:1 167:23 168:10 169:4,8 171:20 187:2 188:6 196:2 198:3 ring 9:16 10:1 role 20:13,14,17 21:10,16,17,24 22:21 26:15 27:23 136:5 room 20:2 51:20,24 53:4,19 54:19,24 55:5 56:3,6,13 57:15,22 62:8,11 62:14 rough 177:22 rule 12:8 121:3,5,10 rules 16:20,21 138:19 139:8 198:20 run 90:9,15,24 91:5 91:20 92:6 120:14 137:8 148:14	161:16 165:19 166:1,6 168:2 174:2,22 175:4,6 175:10 176:3,16 176:18 178:3 180:23 181:12,12 182:10 188:17 189:4,4,8 190:23 191:1,1,13,14 192:3,4,16 193:1 193:7,9,9,15,18 193:20 194:4,9,11 194:14 sampled 47:13 samples 82:4 115:18,20 149:17 156:17 164:24 168:2 176:3 181:23 186:24 188:5,11 190:14 191:16 194:19,20 195:15 196:1 sampling 140:11 142:23 143:5 149:19,20 152:2,5 153:3 156:19 173:17,24 174:3 174:13 175:7,22 175:23 176:5,6,10 176:22 177:1 184:21 186:17 187:18 188:15,16 188:17,23 189:2 190:5,9 193:8 195:5,24 Samuel 2:19 4:14 SARTELL 2:4 sat 155:15 satisfy 74:11 112:2 119:4 147:2 saw 68:4 184:18 saying 11:4 25:10 43:1 68:13 74:14 80:15 83:14,19 97:21 107:9 111:5 114:18,20 115:6 115:23 118:10 119:15 132:4 133:11 135:12,23 137:18,21 139:3,6 155:15 158:20 159:7 194:3 says 60:14 89:11 167:8 176:4 scanned 54:13 scanning 54:1	scans 53:13,14,14 scenes 29:24 scheduled 38:24 39:3 schedules 60:2,11 school 23:13 70:21 71:4,10 192:22 schools 18:7,10 science 14:15,18 14:19,23 15:5,10 17:9,11,18,18 18:8,17,22 19:1,8 19:21,22 20:6 31:16 32:4,7 scope 61:15 88:14 score 67:16 screen 8:20 9:1,10 20:2 33:24 34:3 36:6 44:17 45:24 156:2 168:24 173:4 176:11 screen's 52:8 scroll 8:20 34:8,11 43:19 107:17,19 168:21 search 74:8 90:9,14 90:14 91:4,4,20 92:12 94:14,17 113:22 127:22 133:17,18 134:8 134:15 136:23 137:6 search-and-find 90:22 searches 134:14 searching 67:6 139:15 second 111:1 145:1 145:1 166:5 179:17 189:4,4,8 190:23,24 191:13 192:3 194:4,8 secondly 97:4,4 194:5 section 105:22 123:13 128:14,15 130:7,8 140:10 163:14 175:18 sections 184:9 securities 25:23 26:12 28:11,14 Sedona 140:7 185:16 see 9:22 12:22 30:13,19 40:11 43:18,20 44:20
--	---	--	--	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

54:24 61:21 64:7 69:8 77:23 78:1 78:11 82:11 91:22 100:5 103:12 104:5 108:1,1,10 109:6 113:15 119:18,18,21 120:8 124:2 126:6 129:13 131:10 136:21 140:20 141:14 142:24 144:8 148:11 149:9,16 154:7 156:21,23 157:14 161:20 162:10 168:19 178:20 seeing 116:5 155:11 seek 58:11 seen 49:11 50:11 54:17 55:14,19 56:11,11 103:22 104:15 145:20 146:7,8 158:3 162:12,22 segment 151:11 segments 150:11 150:20,21 151:4,5 151:7,18,23 152:10,15,22 153:5,14 selected 154:3 155:1 selection 176:15,16 189:7 190:6,8 selects 36:18 self-determined 131:14 132:8,10 self-reporting 174:16 semiotics 136:13 send 50:16 55:15 61:18 62:18 122:22 123:9 180:12,12 198:22 sending 61:24 sends 44:13 130:16 133:6 senior 40:9,18 41:13 185:12 sense 116:4 sent 43:23 55:21 62:2 63:16 79:22 80:17,23 81:4,8 81:11 82:2,19,23 83:16,17 85:4,16	122:3 132:5 181:17 sentence 62:12 64:16 66:3 77:13 78:15 119:8 131:13 134:6,9,10 176:14 sentences 112:5,8 112:15 113:21 121:13 125:5 136:22 137:7 138:4 separate 9:16,16 18:11 26:24 30:1 30:1 36:24 115:7 separately 155:18 sequence 189:5 sequentially 164:1 series 40:8 43:14 44:2 171:1 serve 21:9 28:23 29:6,21 31:3,10 31:15 32:9,20 35:24 36:14 39:5 served 21:23 28:1 34:5 49:8,14 serves 150:8 155:2 185:21 Service 58:9,13,23 59:3,7,14,18,20 60:20 61:5,11 84:23 85:2 180:3 services 41:21 43:16,17 45:5 serving 35:12 37:21 42:8 set 47:23 48:3 51:13 52:13 78:16 93:3 110:22 149:11 158:22 189:1 sets 151:1,1 seven 39:17 87:24 88:3,4,4 95:23 96:4,8,15 101:17 101:19 103:3,7 106:5,13,17,19 107:3 108:4,7,9 108:10 110:6,10 110:14 111:13,18 111:19 113:10 114:1,5 117:2,18 117:19,23 118:3 118:12,15 119:5 119:10 120:6,16 121:7 123:22	124:17 125:21 143:18 160:10 167:14 shape 126:5 sheet 198:5,9,10,14 198:19,22 199:1 200:10 Shifting 182:23 shoes 159:16 shops 129:24 short 39:14 40:4 53:2 63:24 104:20 163:2 shortcut 91:10 show 8:15 25:19 158:7 170:7 193:16 showed 9:10 showing 178:2 193:8 shows 193:7 sic 51:14 57:23 159:5 side 27:3 sift 135:6 sign 37:15 198:10 198:11,15,16 signal 81:10 signature 196:6 198:18 200:1,16 signed 37:4,6 38:9 93:1 signing 198:1,13 similar 16:14,15,15 21:22 similarly 1:4 4:8 65:22 115:19 142:19 simple 89:17 124:18 simply 88:12 122:12 123:5 126:17 180:19 simultaneously 114:16 115:3 single 29:1 134:23 134:23 154:4 156:5,8 174:22 singular 161:18,24 sir 11:12 13:12 16:3 16:9 17:3,6 18:4 22:2 27:19,22 29:8 30:21 31:1,5 31:9,13 33:22 34:20 35:1 37:4 40:12 41:3 44:1	44:15 45:8 46:7 46:24 47:18 49:10 49:15,18 50:1,17 50:22 51:16,21 52:15 54:22 55:24 56:20,24 57:5 58:5,10,19,24 59:8 61:22 64:8 83:20 85:18 93:21 98:16 100:6 105:5 107:9 111:15 128:17 131:11 141:15 144:9 148:21,23 149:7 150:12 151:2 152:11 154:8,12 156:24 157:9 158:2,6 160:4,7 162:11,24 163:16 169:14 170:2,6,15 170:21 171:8,11 172:21 173:2 177:23 179:19 182:1,6,17 188:7 192:6,9,14 194:3 195:20,22 sites 111:20 sitting 11:13 situated 1:4 4:8 65:22 situation 8:12 33:3 42:14,18 56:2 66:1,1,6 67:14 70:3,9 92:6 138:8 146:14 147:7,13 149:9,14 situations 18:2,18 26:9,16 87:1 116:8 155:10 six 23:6,20 88:4 161:10 Sixty 83:12 size 149:20 176:3 176:16 188:13,17 193:1,15,18,20 194:4 sizes 193:7,10 skilled 68:19 70:16 71:9 slash 12:19 20:8 small 141:10,17 142:3,4 149:19 175:6,11,11,12 188:18 193:10 smaller 165:19 Smith 2:12 35:12	61:14 so-called 165:14 soft 19:3 software 21:13,17 32:13 33:1,2,5 127:21 128:5 135:5 softwares 128:9 134:23 solely 5:12 somebody 20:24 50:16 62:2,19 145:3 sophisticated 135:4 sorry 15:20,20,20 15:21 27:10 75:9 80:2,3,3 154:12 177:19,19,20 187:21 sort 15:13 68:3 135:6 189:23 sought 19:23 98:21 Soumilas 2:3,20 sounds 119:1 137:2 source 130:10 South 2:13 Southern 140:6 space 180:18 198:12,16 speak 62:10 116:22 142:16 160:23 161:1,8 177:2 189:12,12 speaking 72:23 94:15 138:21 161:5 specific 73:13 90:6 97:1,16 102:13 103:18 105:20 113:1 125:20 127:3 136:16 151:13 specifically 28:19 53:18 92:19 103:4 109:8,13 111:19 111:23 112:9 113:12 118:3 132:14 137:14 153:11 specifics 127:16 spelled 90:17 spent 44:8 170:3 spite 188:19 spoke 52:13 161:1 spoken 51:23 57:3
---	--	--	--	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

61:4 spread 178:11 Sr 1:3 4:6 199:4 St 17:12 19:11 staff 52:16 57:15 180:7 stage 171:10 stamped 105:13 stand 159:16,16 stand-alone 18:11 standalone 103:22 standard 166:18,19 188:22 standardize 159:23 standpoint 8:10 192:12 start 33:12 69:7 151:13 starting 129:12 state 10:18 17:15 61:13 93:3 94:24 99:24 101:9 131:4 156:16 181:18 stated 99:4 116:1 119:3 135:14 statement 72:6,8 77:12 87:22,22 123:15 179:22 statements 25:7,12 180:19 185:18 States 1:1 4:9 58:8 58:9,12 59:3,6,14 59:17 60:19 61:5 84:13 136:11 stating 5:16 160:8 167:18 statistic 44:10 190:16 statistical 17:23 36:22 138:22 172:13 176:8,19 176:22 177:1,7 178:8 179:4 184:21 187:18 188:15,16 190:5 190:14 192:19 statistically 94:24 138:21 statistics 175:15 186:5 190:13 192:22 195:5,13 statutory 162:13 stay 17:20 stenographic 197:6 step 17:24 162:7 steps 163:24 181:1	Steven 44:18 175:24 stop 98:12 stopped 129:11,11 strata 142:1,3,13,14 142:18 152:3 174:23 175:6 176:10,17 178:19 179:13 190:1 stratification 174:12,20 stratified 141:23 174:2,3,10 175:3 175:10 176:21 stratify 142:7 strawman 178:24 Street 2:4 strike 45:11 49:20 125:4,16 143:10 143:10 184:12 187:11 191:4 student 140:17 studies 16:11 23:24 24:3 31:7 71:6 140:17 study 86:7 subgroup 45:2 subject 11:16 57:24 116:13 139:11 194:24 197:6 198:13 subjective 74:15,18 74:20 76:6,21 110:21 112:19 subjectively 75:1 submit 129:18 submitted 6:22 37:2 38:19,21 95:2 169:7,10 170:5 subparagraph 64:3 subpoena 34:4 subsequent 17:7 18:5 115:15 138:21 substance 198:4,8 substantive 156:20 157:6 substitute 81:1 subsume 95:24 subsumed 98:19 subsumes 194:5 sufficient 104:7 138:10 suggest 116:11,12 suggested 91:10	suggesting 125:15 suggestion 67:4 Suite 2:5 summaries 165:13 summarized 70:12 summarizes 20:10 summary 94:22 101:5 103:21 123:13 148:11 164:15 Summit 1:22 4:15 4:19 198:22 supervision 44:23 197:22 supplement 37:14 92:22 supplemental 3:15 49:7,13 85:9 153:10,19,21 168:13 169:10 172:17,20 173:1,5 173:11,20 176:12 178:12,21 179:16 179:17 184:5,8 supplied 34:4 84:1 124:4 supply 90:8 support 92:4 177:6 188:20 supposed 54:20 77:18 79:6 sure 9:23 20:23 25:6 34:13 39:16 59:1 75:11 78:5 80:20 81:20 94:1 104:21 117:5 143:17 144:20 154:23 158:11 174:12 188:24 196:9 Surf 13:4 surmise 184:21 surrounding 128:11 survey 189:2 195:5 suspect 107:18 suspicion 93:15 swearing 5:9 sworn 6:11 synonym 108:23 109:1 synonyms 66:3 162:1 system 49:22 50:3 50:8 51:5 56:2,8 57:23	system's 50:20 systematic 100:1 126:2 <hr/> T <hr/> T 3:8 table 70:12 87:17 96:4 99:13 103:5 103:20 124:8,14 156:21 165:16 168:9 175:18 189:15 193:6 tag 164:10 tagged 111:19 118:3,14 take 14:14,17 15:15 15:19,21 16:1,10 16:13 22:20 23:8 23:12 25:14 34:7 34:10 39:14,17 45:13 104:11,20 104:24 122:9 143:15 150:22 153:3 163:2 172:12 192:21 196:11 taken 1:13 17:9,10 22:4 23:22 24:6 82:5 151:3,6 164:1 197:6 199:3 takes 8:21 132:19 talk 10:7 56:17,21 69:22 73:17 74:17 167:9 talked 138:6 155:18 157:4 166:23 talking 32:12 91:24 102:20 106:6 112:11 124:21 139:23,24,24 talks 175:21 target 156:17 tasked 87:7 134:12 taught 70:20 team 113:24 114:1 114:7 122:22 128:19 181:22 182:2 teams 17:20 37:11 37:13,14 technologies 19:16 19:17 technology 134:19 139:5,6,14,22 185:11 186:3 tell 24:20 45:18	52:8 87:8,9 88:17 88:18 101:20 108:19 129:5 147:22 163:19 telling 73:20,22 107:2 147:22 template 57:7 115:17 126:12,16 127:7 129:18 132:5 183:1 templates 126:4,8 128:20,20,23 129:15,16,22,24 130:2,2,5,6,10,17 130:22,22 133:12 temporal 178:3 ten 39:17 69:9 77:24 78:7 88:5 95:12,24 96:4,8 96:16 101:18,20 103:4 123:22 124:17 125:22 163:3 167:14 term 19:4 53:7 94:13 98:23 106:11 131:20 145:14 189:13 195:10 terms 9:19 12:19 21:12 25:17 26:15 26:20 27:13,17 31:11 32:3,3 36:4 38:13 46:21 53:20 54:10 59:2 60:20 61:6,6,9 63:7 66:9 72:15,18,19 73:17 83:14 85:3,19 90:9,14,14,23 91:4,20,20 93:23 111:11 116:23 126:14 133:17,19 139:15 148:2 164:1 195:6 test 78:11 114:4 153:11 177:18 178:1,9 180:7 195:24 tested 177:13 testified 6:11 13:2 28:21 38:10 55:5 149:5 158:22 166:9 167:24 185:6 186:22 testify 30:10 31:7 32:20 37:11,12 42:12,16 170:16
---	--	--	---	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

171:20 172:22 186:10 testifying 10:16 38:3 39:1,6 testimony 5:4 11:16 12:24 29:1 29:3,4,11 30:7,16 30:23 37:5 38:13 38:14 71:8 77:9 84:18 96:2,15 143:4 149:8 170:17 171:21,23 172:23 185:4 193:23 194:2,7,17 197:3 198:12 testing 156:17 164:6,6 185:23 186:5 189:10 190:12 194:14 Texas 13:17 14:11 14:24 15:3,7 16:6 16:23 17:8 18:6 22:4 23:22 24:6 text 50:18 128:10 175:24 textbook 175:19 textbooks 48:15 174:21 thank 39:19 57:11 143:19 169:16,19 173:6,9 191:18 196:3,4 themselves 132:9 147:14 thesaurus 66:7 thing 13:8 19:18,18 things 18:16 41:20 45:17 68:22 98:18 99:5,8,24 130:24 139:11 145:4,6 think 6:24 8:19 16:15 17:10 21:3 21:6 26:4 27:11 27:14 30:13 52:6 53:22,23 60:22,22 63:2 66:23,23 69:2 74:3,4 84:24 86:23 96:7 97:13 103:17 113:7 116:16 123:6 134:5,8 136:15 139:13 147:6 148:2 150:6,7,17 150:18 153:15,15 156:9 158:6 165:15 167:19,19	175:20,20 178:4 179:7,8 182:17 184:1,7 thinking 20:20 third 194:8 Thompson's 175:24 thought 68:14 thousand 175:13 three 6:24 8:6,18 9:11 16:5 45:6 108:3 125:24 157:16 160:23 177:8 178:2 190:4 threshold 83:20,22 83:23 84:9,16 Thursday 1:14 time 5:8 19:20 23:4 26:14 36:11 39:14 43:2 46:12 58:15 85:6,23 91:6,7,8 104:20 149:24 150:10,15 151:10 169:16 170:3 174:14,19 186:2 196:16 times 7:3 115:23 123:24 146:9 161:11 184:23 timestamp 54:3 timing 91:23 title 16:12,16 22:2 40:18 today 6:21 11:13,16 93:10,17 94:8 96:3 149:6 158:22 168:1 182:24 186:22 tool 174:4 194:13 194:14 top 42:1,1 107:23 107:24 131:3 topics 61:20 total 193:21 totaling 151:2 tradelines 145:8,16 tradelines 144:22 145:5,11,14 trained 19:17 79:1 112:13 113:5,5 training 12:4 17:12 17:24 19:7,11,21 19:22 23:2 24:18 24:20 25:16 26:20 27:12 71:1,2,5 78:24 79:4,8	103:9 106:3 107:10,13,15 110:7,12,22 111:10 159:22 160:1,5,9 164:8 164:19 165:3,9,21 TRANS 1:7 transaction 25:14 27:4 transactions 25:8 transcribe 11:5 transcribed 5:13 transcript 5:12 29:17,20 177:23 177:24 197:9 200:6 transcription 200:7 transcripts 49:17 TransUnion 2:18 4:8 6:3,22 34:17 34:23 35:3,7,8,10 36:24 44:5 45:5 46:5,14 49:8,13 49:22 50:3,15 51:15,19,23 52:12 52:21 55:4,14,19 55:22 56:8,9 57:16 58:1 61:15 61:17,18 62:2,18 63:9,12 70:4 71:22 72:19,22 79:17,22 83:7 88:17 92:7 95:2 98:4 100:3 102:3 121:15 122:1,22 123:1,9,17 133:2 134:7 140:3 148:17 151:21 155:13 158:1 162:5,7,9 167:3 183:18 199:4 TransUnion's 35:16 53:3 56:2 treated 115:19 trial 12:24 29:1,4,20 30:7 38:13 170:17 171:21,23 172:22 172:23 tried 30:11,14 63:3 63:6 68:18 90:4 98:23 99:20 trigger 120:15 triggered 114:14,15 triggering 162:8 trouble 70:4 true 197:8 200:7	try 34:14 45:18 122:14 trying 21:7,7 28:4 72:11 98:13 125:9 140:4 173:20 193:2 turn 12:7 61:12 67:20 94:21 131:2 143:9 turning 153:24 163:14 turns 132:24 Twenty-seven 154:11 twice 91:14 194:5 two 15:1,2,6 16:3 18:18 21:14 23:13 33:10 40:23 61:20 82:11 88:13 99:23 101:9 114:17,19 114:21,21 115:4,7 115:18,19,20 116:20 123:14 127:20 128:3,5 129:21 130:5 149:17 151:1,1,1 156:19 158:7 160:15,17 164:24 166:10 168:18 172:15 173:13 181:1,22 186:24 187:1,16 188:4,11 188:13 189:9,9 190:13 type 21:23 51:18 58:11 91:3 96:5 129:21 143:5 types 28:13 130:5,6 153:4 185:1 190:4 typo 47:17 U U.S 58:23 59:20 85:2 180:2,3,7 181:2,10 ultimately 11:15 Ulzheimer 183:19 183:22 184:14 Ulzheimer's 184:9 uncertainty 131:4 131:16 132:6 133:13 135:1 unclear 116:24 undergraduate 13:12,13 16:4 23:13 25:1	understand 7:10,14 7:18 11:1,4 21:11 53:10 65:11 79:13 79:24 80:4 97:18 98:18 112:14 136:11 139:12 145:1,7,9,16,22 146:5,13 151:16 162:4 165:9,17 167:20 176:21 183:21 understanding 11:6 20:17 54:3,5 63:10 71:21 79:12 94:13 97:11 98:3 111:7 112:23 131:24 176:24 understood 7:11 36:16 60:23 99:1 123:1 undertake 57:7 unexplained 179:21 uniform 152:2,2,9 152:11,12,21 178:14,15 189:24 189:24 uniformly 141:12 141:18 142:11,13 142:14,21 151:22 union 1:7 123:21 unique 127:1,1,2 161:24 United 1:1 4:9 58:8 58:8,12 59:3,6,14 59:17 60:19 61:5 84:12 136:11 universities 16:14 17:1 university 13:14,17 13:22,24 14:11,20 14:24 15:3,4,6,7 16:4,6,11,23 17:8 17:15 18:6 22:3 23:22 24:5 unquote 103:9 unreliable 179:24 unsigned 34:20 untested 179:22 urban 180:17 urging 125:7,8 usage 21:15 112:12 use 8:7 16:18 27:17 32:16 45:23 66:7 68:10,10 70:20,21 72:17 73:4,17
---	--	---	---	--

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

75:24 79:15 80:6 80:24 81:1 91:19 94:13,14 97:16 98:23 100:19 103:11 106:11,14 108:24 109:19 112:3,7 127:6 129:24 130:2,3 134:2 136:5,5,7 136:10 142:22 161:23 174:5,19 175:11 177:6 178:7 179:3,11,12 179:12 180:18 184:20 187:15 188:11 192:2,3 193:9,17 useful 103:21 user 139:8 user's 88:2 107:8 118:7,19 users 56:22 192:18 uses 180:9,14 193:17 195:13 usual 39:9 usually 37:24 39:11 71:12 186:10,10 utilize 68:6 90:21 utilized 71:15 utilizing 91:4	various 149:5 152:22 164:9 193:8 vary 190:18 vast 24:19 48:20,20 180:15,16 186:8 vastly 177:9 verb 106:9 verbally 5:3 versus 82:2 85:5 95:6,8 102:9 111:24 129:17 175:12,12 video 1:12 2:1 4:4 4:13 39:23 40:2 109:22,24 110:3 143:22 163:2,9,12 196:15 videographer 2:19 4:1,16 39:22 40:1 109:23 110:2 143:21,24 163:8 163:11 196:14 Videographers 1:23 videotaped 1:12 view 74:23 131:7 133:16 135:2,20 144:17,24 146:15 147:3 viewed 120:10 views 115:24 virtually 75:21 volumes 140:5 vs 1:6 4:8 199:4	way 17:24 36:13 66:23 73:9,9 74:20 75:21 91:24 98:13 113:17 114:3 125:9 130:4 135:16 148:17 we'll 67:5 102:6 122:19 we're 10:10 11:13 32:12 65:7,8,10 73:21 79:14 102:20 103:6 105:3 106:6 108:5 108:8 111:12 112:11 124:21 131:3 134:1,1 139:23,23,24,24 148:19 we've 39:12 101:16 104:17 143:13 159:22 166:23,23 Webster 67:21 week 174:6 weekly 174:5 weeks 192:20 weighted 142:18 went 71:10 121:23 121:24 weren't 87:6 96:19 146:9 west 19:14,15 wide 41:15 42:4,23 42:23,24 95:3,6 95:11,16 121:12 widely 79:12,12 wires 21:16 32:13 32:24 witness 3:2 4:23 5:3,10 6:3,8 18:24 19:10 20:16 22:8 27:24 28:1,24 29:7 31:3,11,15 31:18 32:10,20,23 34:19 35:13,19 36:1,10,15 41:8 41:21,24 42:8 43:3 48:7 50:6 52:5 53:8 55:4,11 58:19 59:6 62:6 62:24 63:22 64:19 65:6 66:15 67:12 68:9 69:13 74:3 75:7,13 76:9 77:10 81:7,20 86:1,14,22 87:15 88:22 89:22 93:23	94:1,11 96:7 98:12 100:13 101:3 102:12 106:21 109:16 110:16 117:5 122:8 136:15 145:15 147:6 152:1 162:15 169:18 183:14 185:5 187:5 188:1 191:11 195:1,11 198:1,16,16,17,18 WITNESSED 200:20 word 65:10,12 69:16 72:24 73:4 74:18,19,19 77:5 80:13 81:1 93:10 97:11,16 98:8,17 99:4 102:1,4 106:7,22 109:9,14 112:3 113:8,20 117:1,10,14,17,22 118:8 121:4 122:11 125:1,4 126:11 134:14 145:7,16 167:18 167:20 words 7:19 68:11 68:24 74:9 77:21 90:16,23 91:5 98:9 99:8 112:11 112:15,23 118:11 118:22 125:7 135:14 136:6,7,22 137:7 139:15 work 17:19 18:2,18 19:2 20:9,12 21:4 21:19,24 24:13,17 25:4,18 28:4 37:10,13 40:14 41:4,23 42:3,7,17 42:19 44:22,24,24 45:1 46:9,13 60:7 68:15 71:13 78:13 93:19 97:3 101:7 122:16 174:1 175:14 192:19 worked 20:13 24:9 35:7,7,11,16 51:24 52:1 62:8 working 9:3 25:20 35:3 36:21 43:2 46:10 60:23 71:21 92:15 works 29:13 45:3	58:23 59:3,14,18 60:20 61:6 62:11 71:22 Wouldn't 99:15 write 7:20 63:3,6 64:4 65:10 92:7 99:22 126:1 133:17,18 134:6 134:13 141:8 142:19 154:1 159:22 161:15 162:3 172:14 writing 54:18 written 21:18 28:22 29:5,15,20 49:12 51:18 53:5 55:20 75:16 85:7 111:11 111:14 138:9 173:13 179:23 184:2 wrong 176:7 wrote 132:14 www.summitrep... 1:24
<hr/>				
X				
<hr/>				
X 3:1,8 119:4				
<hr/>				
Y				
<hr/>				
yeah 46:12 47:11 106:6 108:8 121:8 121:8 year 25:4,5 64:1 150:4 170:5 174:10 years 36:14 78:20 93:14 140:8 yellow 113:20 yep 58:18 106:4 169:13 yesterday 7:1 33:10 153:22,23 168:14 yield 164:10 Yvette 2:19 4:14				
<hr/>				
Z				
<hr/>				
zero 143:3 zip 61:2 Zoom 4:13 8:20				
<hr/>				
0				
<hr/>				
1				
<hr/>				
1 12:3 28:10 34:24 141:6 149:22 150:2,13 151:5				

Norman, Sr. v. Trans Union, LLC

DAVID B. LASATER, Ph.D., 5/5/22

182:8	1988 17:13,15	28 156:15 157:16	168:17 173:6	179:15
1,000 193:11	18:22 19:6	28th 43:15	179:16 199:3	9(a) 64:4 67:9
1.2 88:14	1999 20:4	29 128:15	200:6	9(b) 79:14,15
1.4 94:22 123:13			5.1 12:8 47:16	90 104:18 155:14
1.6 140:11	2	3	5.2 47:4,20,21 48:4	155:18
1:46 110:3	2 70:12 87:17 96:4	3 33:11 128:1,10,11	48:24 49:3	93.5 156:18 157:6
10 2:13 78:2	99:13 103:5 124:8	128:15	5.4 148:9,19	985-2400 1:23
10:06 1:14 4:2	124:14 149:23	3.2 178:21	5.6 182:8,18	
100 40:23 95:12	150:9,14 151:4,7	3:19 163:9	50 107:20 165:1	
97:2,2	151:9 165:16	3:36 163:12	166:2,5,11	
11 88:5 95:24 96:4	168:9	30 150:18 198:21	502 50:7,10,11,14	
96:9,16 101:18,20	2.4 161:14	31 159:21	50:19 61:19 62:1	
103:4 123:22	2.8 41:10	312 2:15	62:18 63:9,11,16	
124:17 125:22	2:18-CV-052225-...	32 12:14 160:14	122:3,23 123:10	
167:14	1:8	320 40:10	510 176:4,4	
11:02 39:23	2:18-CV-05225-G...	33 3:12,13 28:19	510-7310 2:10	
11:13 40:2	4:11	29:5 30:8 38:14	567-3315 1:23	
11th 11:23 45:22	2:42 143:22	181:17	5th 4:2	
46:2,6	2:49 144:1	34 28:19 38:14		
12 3:10 88:5 95:24	20 36:14 93:14	150:18,19 161:15	6	
96:4,9,16 101:18	95:12 150:17	35 12:14 28:20	6 3:5 12:4 131:3	
101:20 103:4	154:2 155:1,3	37 47:2	140:11 156:21	
123:22 124:18	158:8 165:1 166:2	39 148:22	169:2 176:11,14	
125:22 154:1	166:5,11	3rd 169:12,13,13	6.1 47:9,12	
167:15	200 166:3	172:20	6.2 106:1 107:3	
12:56 109:24	2000 20:4		110:8 111:13	
13 159:22	2002 17:14	4	160:3,5 163:15	
137 180:22 181:5,6	2007 185:12	4 61:12 168:17	60 83:17 84:3,5,5,8	
14 69:14,23 161:14	2008 185:20	4:26 196:16,18	85:2 180:3,16	
15 95:15,16,16	2009 185:20	40 95:12	181:6,19,23	
140:8 156:20	2011 26:13	400 151:1 175:12	182:21	
157:6 171:3,15	2018 150:17	176:17 181:13,23	60-mile 83:20,21,23	
172:1 176:2	2021 34:24 35:4,15	188:17 189:5	84:16 85:13,15	
15th 169:7	35:18,23 37:1	192:3 193:18,18	179:22	
16 126:4 129:6,11	38:8,18 43:15	193:24 194:1,4	60606 2:14	
150:19,19 152:10	154:17 194:18	400-and-some-th...	609 1:23	
152:22 153:13	2022 1:14 4:3 11:23	134:9	610 2:10	
181:5,6,18	45:22 46:3,6	400-person 192:3	63 128:16	
1600 2:4	169:8,11 170:20	192:16	650 41:13	
168 3:14,15	171:3,15 172:1	400,000 129:7		
169 3:5	199:3 200:6	133:15 134:12	7	
17 76:16 88:5 99:22	207-1000 2:15	40th 2:14	7 108:11 141:7	
101:17 102:24	21 149:22 154:1,10	413 161:16	735-8600 2:6	
141:7	215 1:23 2:6	43.7 100:2 101:10	775 40:9,14	
18 26:18 76:17	22 46:15 48:4 56:16	123:15 124:4,15		
19 142:19 143:7	58:17 162:2	439,618 126:3	8	
19072 2:9	22nd 51:14 52:14	44 182:11,22	8 47:7 143:10 144:4	
19103 2:5	57:2,13,21 58:7	45 126:3	800 1:23 95:1	
192 3:5	58:21 59:1	450 2:9	150:24 151:2	
1953 174:21	23 128:15	46 182:16	168:2 175:12	
1973 13:21	25 78:20 149:23	477-8648 1:23	189:5	
1979 14:5	151:17	48 162:3	835 182:10 186:24	
1980 17:15	2510 2:5	4th 169:11		
1982 14:6 18:6 22:4	26 12:8		9	
23:21 24:6	262 182:20	5	9 61:13 79:14,21	
1987 175:16	27 154:14 157:5	5 1:14 12:4 168:12	88:15 156:22	